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THE HISTORY OF ENGLAND.

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The history of the INTER-REGNUM, from the death of CHARLES I. to the restoration of CHARLES II.

BOOK XXII.

The history of the Inter-regnum is divided into three principal parts. The first contains what passed, whilst England was reduced to a DEMOCRACY. *The second, what happened during the protectorates of* OLIVER *and* RICHARD CROMWELL. *The third, what passed from the deprivation of* RICHARD CROMWELL, *to the restoration of* CHARLES II.

PART I.

The Commonwealth of ENGLAND.

TO understand the revolutions in England after the death of Charles I. we are necessarily to remember some material things, which have already appeared in the foregoing reigns, and of which it will not be amiss to make here a short recapitulation. 1649

First, The parliament now sitting consisted properly but of a house of commons, who refused to acknowledge the A recapitulation of some important matters

1649. negative voice of the peers. This they had manifeſtly ſhowed in erecting a court of juſtice to try the king without the concurrence of the lords, whoſe conſent was voted unneceſſary.

Secondly, This houſe of commons was compoſed of a ſmall number of members, all independents, anabaptiſts, or other ſectaries. All the preſbyterian members who ſat in the houſe the 6th of December were expelled by the army; and the abſent, whoſe principles agreed not with thoſe of the independents, durſt not reſume their places. If ever there was an uſurpation, it was this mutilated parliament's government, founded only in violence, and wholly ſupported by the army. For though the houſe of commons pretended to repreſent the people of England, it is very certain, the nation afforded but few perſons, who were pleaſed to ſee the ſovereign power lodged in the hands of ſuch repreſentatives.

Thirdly, The independents, of whom this houſe was chiefly compoſed, were diſtinguiſhed by two principles, one relating to the civil, the other to the eccleſiaſtical government. By the firſt, they aſſerted, that the republican government was not only the moſt perfect, but alſo abſolutely neceſſary for England, after ſo many oppreſſions from her kings, who had changed the government into a real tyranny. With regard to religion, though they called themſelves proteſtants, their principle was, that every particular church was independent, and might be governed as the members thought proper. Their notions concerning the vocation of the miniſters of the goſpel, were alſo very ſingular, as they believed that, without any other call, every man was free to diſcharge the office of miniſter, and uſe the talents given him by God. The other ſectaries, who had joined the independents becauſe they found in that party a full toleration, were moved with them in the firſt of theſe principles, and had declared for a republican government. But with reſpect to religion, there were between them ſome differences, which the independents regarded the leſs, as they wanted to increaſe their adherents, and beſides, believed that in matters of religion, toleration was abſolutely neceſſary.

Fourthly, There was ſtill in the army a remnant of levellers, who ſtill adhered to their principles, and were always ready for any attempt to recover their credit. It is true, Cromwell, after having himſelf raiſed this faction, had in ſome meaſure diſperſed, but not entirely deſtroyed it. An able leader would have made it as formidable as ever.

Fifthly,

Fifthly, It was with the utmoſt concern that the preſbyte- 1649.
rians ſaw the independents in poſſeſſion of ſovereign power. By that all their meaſures were broken: their progreſs for eight years became fruitleſs, and the ſtorm they had raiſed againſt the king, returned upon their own heads, or at leaſt, it was apparent, they had all this while been labouring for others without any thing done for themſelves. For indeed the independents were equally enemies to preſbyterian and epiſcopal government. As to civil government, it is certain, the preſbyterians were not averſe to royalty in general. If they had undertaken to limit its power, it was not from a belief that the thing was evil in itſelf, as eſtabliſhed by the laws of England, but becauſe the two laſt kings had uſed their power to deſtroy preſbyterianiſm. So, whatever they had done againſt king Charles I. was not pointed ſo much againſt his dignity as his perſon, becauſe they conſidered him as their enemy, and deſpaired of eſtabliſhing a preſbyterian government in the church, ſo long as he had power to prevent it. Very likely however many of them would have complied with a republican government, notwithſtanding the tenour of the covenant, had that government not been in the hands of the independents, who were by no means inclined to ſupport preſbyterianiſm, and whoſe principles upon toleration were entirely rejected by the preſbyterians. And therefore an union between the preſbyterians and independents was morally impoſſible.

Sixthly, The royaliſts, equally enemies of both, could unite with neither of the parties, conſidering the oppoſition there was between their principles. The independents were for a commonwealth, to which the royaliſts could not conſent. On the other hand, the preſbyterians were for maintaining their government in the church, and moſt of the royaliſts could hardly believe, the preſbyterian churches, as they had no biſhops, to be true chriſtian churches. Thus the royaliſts, though perſecuted by both parties, were far from joining with either. On the contrary, they conceived ſome hopes, that the diviſion among their enemies would, one day, give them a good opportunity to reſtore the monarchy to its former ſtate. Wherefore they induſtriouſly fomented this diviſion, in expectation that the preſbyterians would at laſt be obliged to abandon their projects, and unite with the royal party, to free themſelves from the perſecutions they ſuffered.

Such were the intereſts of the parties which divided the people of England immediately after the death of Charles I.

1649. The remembrance of all this is absolutely necessary for understanding the transactions during the inter-regnum.

An act to forbid proclaiming the son of the king. Jan. 30. Rushworth, VII. p. 1431 Clarendon, III. p. 201. Whitelock. The house of lords abolished by the commons. March 9. Clarendon, III. p. 201. Whitelock, p. 377, 390. Phillips. Some lords protest. Phillips. Heath.

Presently after the king's death, the house of commons published an act to forbid the proclaiming of Charles Stewart, eldest son of the late king, or any other person whatever, on pain of high treason. Here was laid, as it were, the foundation of the commonwealth, which the independents meant to erect in England. The same day the lords desired a conference with the commons about settling the government and the administration of justice, the judges commissions being determined by the death of the king. The commons, without answering the message, voted the house of lords to be useless and dangerous, and therefore to be abolished. They only left the lords the power of being elected members of parliament, in common with other subjects. This privilege was embraced by a few [a], but rejected by most of the peers, nay, some published a protestation against the power assumed by the commons, which was little regarded. Thus, the parliament, which at first was composed of the king, sixscore lords, and five hundred and thirteen commons, was reduced to a house of commons, consisting of about eighty members, of whom very few at the beginning, had five hundred pounds yearly income. And yet, these members, though so few in number, assumed the name of a parliament, and acted as if in their body had been united the power, which before resided in the king, lords, and commons. This might appear very surprising, if we had not seen the foregoing transactions, and the universal terror inspired by the army. Hence appears with what care and ability Cromwell and his associates had, upon the self-denying ordinance, filled the army with their creatures. Certainly, nothing less than an army entirely independent and republican could have procured a power so excessive and extraordinary to so inconsiderable a number of members of parliament. But it must also be confessed, that, of these new governors, some were men of a great genius and uncommon capacity, and that if they erred in their principles,

Clarendon, III. p. 203.

[a] The earl of Salisbury, and the lord Edward Howard of Escrick, signed the engagement, to be true and faithful to the commonwealth, as it was established, without a king or house of lords, and took their seats in parliament by virtue of an election from the people. Ludlow, tom. I. p. 283. —— And also, April 16, 1649, upon the death of sir Francis Pile, a writ issued out for a new election, and the earl of Pembroke, with all his titles, was returned for knight of the shire for Berks, primæ impressionis, and his lordship was accordingly admitted into the house with great respect. Whitelock, p. 396.

they

1649.

wanted not skill to purſue the conſequences. Their principle was, that the ſovereign authority reſided originally in the people, by whom a part of it was committed to the kings, choſen to govern them according to law. That the king's abuſe of this truſt, had broken the original contract between king and people, and by this violation, the contract ſubſiſting no longer, the ſovereign power returned to the people as the fountain thereof. So, conſidering themſelves as the repreſentatives of the people, they believed, they had a right to change the form of the government, without any regard to the original contract annulled by the king in his violation of the laws.

Principles of the commons relating to government. Heath, p. 225.

In conſequence of this principle the commons, aſſuming the name of parliament, voted, and afterwards enacted, that the kingly office ſhould be aboliſhed as unneceſſary, burdenſome, and dangerous, and that the ſtate ſhould be governed by the repreſentatives of the people in a houſe of commons without king or lords, and under the form of a commonwealth. This grand alteration in the government produced many others in things conſiſtent with monarchy, but not with a commonwealth. The oaths of allegiance and ſupremacy were to be aboliſhed [b], juſtice was no longer to be adminiſtred in the king's name [c], a new great ſeal was to be made, new money to be coined; in a word, every thing to be removed which bore any marks of royalty. A great ſeal was therefore made, on one ſide of which was ſeen the parliament ſitting, with this inſcription, "The great ſeal of "the parliament of the commonwealth of England;" on the other ſide, the arms of England and Ireland, with theſe words, "The firſt year of freedom by God's bleſſing re-"ſtored. [d]" This ſeal was committed to a certain number of perſons, who were ſtiled keepers of the liberties of England. And it was ordained that for the *future*, all publick orders ſhould be diſpatched in the name of theſe

They aboliſh the monarchy. February 7. March 17. Clarendon. Whitelock, p. 377.

Divers alterations. Ibid. Phillips.

A new great ſeal made. Ludlow, t. I. p. 281. Clarendon, III. p. 202, 204. Whitelock, p. 337, 371, 373, 374, 378.

[b] Inſtead thereof a new oath was prepared, called the engagement, whereby every man ſwore, That he would be true and faithful to the government eſtabliſhed, without king or houſe of peers. Clarendon, tom. III. p. 202.

[c] The name, title, and teſt, of the writs were to be, cuſtodes libertatis Angliæ, authoritate parliamenti.—— And in indictments, inſtead of, contrary to the peace of —— the king, it was —— againſt the peace

juſtice, and council of England. Whitelock, p. 371, 374.

[d] The lord Clarendon ſays, on one ſide was engraven the arms of England and Ireland, viz. a red croſs and harp, with this inſcription, The great ſeal of England; and on the other the portraiture of the houſe of commons circumſcribed, In the firſt year of freedom, by God's bleſſing reſtored, 1648. tom. III. p. 202. This ſeal, and the inſcriptions were the fancy of Henry Marten. Whitelock, p. 367.

keepers,

1649. keepers, under the direction of the parliament[e]. Laſtly, The parliament made choice of thirty nine perſons to form a council of ſtate for the adminiſtration of publick affairs under the parliament[f]. The projects of theſe changes were formed in February, but the execution of them all required ſome months.

Council of ſtate. Whitelock, p. 381. Dugdale's View.

In the beginning of March, the parliament erected a new high court of juſtice, conſiſting of ſixty members, to try ſome perſons of diſtinction, who were in their power. It ſeems, as there was no houſe of lords, the peers of the kingdom had loſt their privileges under this new democracy, and that conſequently the impriſoned lords might have been tried by a jury, in one of the courts of juſtice. The parliament, without doubt, was apprehenſive, that a jury, impannelled as uſual, would never find perſons of quality guilty of death, for ſupporting the cauſe of their ſovereign. The independents were not ſufficiently numerous among the people, to be ſecure of a jury of their party. Beſides, they were not aſſured of the judges, ſix of whom had refuſed to accept commiſſions from the commonwealth. But in erecting a court of juſtice, the parliament could name ſuch judges as would be obedient to their orders.

A new high court of juſtice. Bates. Clarendon, III. p. 204. Whitelock, p. 377.

Before this new court, of which Bradſhaw was preſident, as he had been of that which condemned the king, were brought duke Hamilton, the earl of Holland, the lord Goring, lately created earl of Norwich, the lord Capel, and Sir John Owen, all for the ſame crime, namely, for having appeared in arms againſt the parliament. When the king had determined in the beginning of the civil wars, to put to death priſoners taken at Edgehill and Colebrook, the parliament thinking it unjuſt, declared, they would inflict the ſame puniſhment on their priſoners, if the condemned perſons were executed. But when victory had decided in their favour, it was found very agreeable to juſtice, to puniſh with death thoſe who had fought for the king. This will ſeem the leſs ſtrange, when it is remembered, that the king himſelf had been put to death, for making war upon the parliament.

Some noble priſoners brought before it.

Trials.

The duke of Hamilton repreſented, that being a ſubject of Scotland, he had entered England with an army, as an

Duke of Hamilton's caſe.

[e] Widdrington and Whitelock were firſt appointed keepers of the new great ſeal. But Widdrington deſiring to be excuſed, and his excuſe being admitted, an act paſſed, appointing, Bulſtrode Whitelock, Richard Keeble, and John Liſle, lords commiſſioners of the great ſeal, quamdiu ſe bene geſſerint. Whitelock, p. 378, 379.

[f] See a liſt of this council in Whitelock, p. 381.

open

open enemy, by virtue of a commiſſion from the parliament of Scotland, which he was bound to obey, and conſequently, could be treated but as a priſoner of war. As this objection had been foreſeen, he was told, he was not proceeded againſt as duke Hamilton in Scotland, but as earl of Cambridge in England; and ſince he had accepted that title, and as ſuch, taken a ſeat in parliament, he was thereby become a ſubject of England: that if the title of duke of Hamilton obliged him to obey the parliament of Scotland, that of earl of Cambridge ought to have engaged him to refuſe the commiſſion. Beſides, they were informed, that his accepting the command of the Scotch army, was not owing to mere obedience, but to his own ſollicitation, and that he had been the principal author of the war. 1649.

Burnet's Mem. p. 386, &c. Clarendon, III. p. 204. State Trials, t. II. Whitelock, p. 380. Ludlow.

The earl of Holland ſpoke but little in his defence. Beſides, the ſteps he had taken, and his frequent changing ſides, did not much favour his cauſe. Earl of Holland. Clarendon.

The lord Goring (earl of Norwich) repreſented, that he had been educated in the court from his cradle, having been a page to king James I. that he had never ſerved any other maſter than the king, whom he had followed without examining the juſtice or injuſtice of his cauſe, not having had opportunity to be informed in ſuch points, which were above his capacity. Earl of Norwich.

The lord Capel, ſtedfaſt to his principles, and zealously attached to the cauſe of his ſovereign, defended himſelf with more courage and reſolution. He refuſed, at firſt, to own the authority of the court, alledging, that if he had committed any crime he ought to be tried in the uſual form, and not before a court unſupported by any law. But the condemnation of the king himſelf, by a court of the like nature, might have convinced him, of the unſerviceableneſs of ſuch a defence. He ſaid afterwards, that having ſurrendered himſelf priſoner at diſcretion, he was, by the law of nations, exempted from death, if not inflicted within ſo many days, which were long ſince expired. He urged, that when after the taking of Colcheſter, the council of war had condemned Lucas and Liſle to be ſhot, general Fairfax promiſed life to the other priſoners, and therefore he demanded the benefit of that promiſe. The court being a little embaraſſed, ſent to the general, to know what promiſe he had made the lord Capel. His anſwer was, that as general, he had promiſed the priſoners an exemption from military execution, to which three had been condemned, and that his intention reached no farther. Upon this anſwer it was decided, that the

1649. ral's promiſe did not exempt the priſoner from the juſtice of the parliament.

Sir John Owen. Sir John Owen ſaid only, he was obliged in conſcience to ſerve the king according to his oath of allegiance.

They are condemned. Petitions in their favour. Clarendon, III. p. 206, 207. Whitelock, p. 386. Notwithſtanding their defence, they all received ſentence of death [g]. But as they had many friends, petitions were offered to the parliament in their name for a pardon. Theſe petitions were examined in the houſe, and thoſe of duke Hamilton, the earl of Holland, and lord Capel rejected. The votes were equally divided upon that of the earl of Norwich, and as, according to cuſtom, the ſpeaker's vote was to decide, he declared for pardon, ſaying. He had formerly received from the earl ſome civilities, and therefore voted in his favour [h]. The execution of ſir John Owen was ſuſpended, becauſe, as a commoner, he ought to have been tried before an inferior court. This ſaved his life. The three firſt were executed on a ſcaffold, erected before Weſtminſter Hall.

March 9.

The duke of Hamilton executed. Burnet's Mem. p. 404. Clarendon, III. p. 209. Whitelock. Phillips. Dugdale's View, p. 388. Duke Hamilton complained, when on the ſcaffold, that he was condemned to die for obeying the parliament of Scotland, which if he had not done, he muſt have been put to death there. But it was with little reaſon that he inſinuated a danger of being put to death in Scotland, for a refuſal to accept the command of an army raiſed by his intrigues and authority. He intimated, that if he would have confeſſed who invited the Scots army into England, it would probably have ſaved his life. Before his proceſs was formed, he had been ſtrongly ſollicited to make this diſcovery, which he utterly refuſed to do [i]. The character of this duke is not

[g] When ſentence paſſed, that they ſhould all loſe their heads, ſir John Owen made a low reverence, and humbly thanked them: and being aſked by a ſtander by, what he meant? he ſaid aloud, "It was a very great honour to "a poor gentleman of Wales, to loſe "his head with ſuch noble lords; and "ſwore a great oath, that he was afraid "they would have hanged him." Clarendon, tom. III. p. 206.

[h] Upon this occaſion Whitelock obſerves, this may be a caution againſt the affectation of popularity, when the earl of Holland, who was as full of generoſity and courtſhip to all ſorts of perſons, and readineſs to help the oppreſſed, and to ſtand for the rights of the people, as any perſon of his quality in the nation, was given up by the repreſentatives of the people; and the lord Goring, who never made profeſſion of being a friend to liberty, either civil or ſpiritual, and exceeded the earl as much in his crimes, as he came ſhort of him in his popularity, was ſpared by the people. p. 386.

[i] Rapin, miſled by Baker's Continuator, ſays, "he offered to diſcover "what had been deſired, if his life "might be ſpared," which contradicting all the hiſtorians, is altered by the tranſlator from Whitelock, &c.—Inſtead of quoting Edward Phillips, Baker's Continuator, Rapin has all along in the margin quoted Baker himſelf; but that is rectified every where. Sir Richard Baker died in 1644, in the Fleet.

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easy to be conceived. All that can be inferred from what has been said for or against him, is, that he had the art to adapt himself to the times. And the earl of Clarendon plainly insinuates, that when he was employed by the king, he was secretly making friends in the contrary party, in case affairs should turn to the king's disadvantage. 1649.

Lord Capel executed. Clarendon, III. p. 209, 210.

The lord Capel maintained, That he had acted nothing contrary to the laws, and consequently was unjustly sentenced to die. He spoke of king Charles I. as of a saint, and enlarged upon the great understanding, excellent nature, and exemplary piety of the prince, to whom he gave the title of king, affirming, he would never be shaken in his religion. In all appearance, the lord Capel spoke his real sentiments. But the sequel discovered, either that he did not sufficiently know Charles the IId, or that prince had other principles when restored to the throne, than those he had imbibed in his youth.

Other executions. Phillips. Whitelock.

At or about the same time, many others were executed for the same crime in several parts of the kingdom; and amongst the rest were Morrice and Blackbourn, who had surprized the castle of Pontfract for the king. Poyer, Powell, and Langhorn, who had drawn into a revolt from the parliament the principality of Wales, cast lots for their lives, and the first was executed.

The absent Members excluded the parliament. Ludlow, t. I. p. 288. Whitelock.

When the army drove from the house above a hundred members, who were unacceptable to them, those only were expressly excluded, which were then present: but many were absent, against whom nothing had yet been determined. Indeed, these had never since taken their seats in the house, being apprehensive of the same fate. But possibly they might return in great numbers, whenever a favourable opportunity offered. This the house resolved to prevent; by an act, which excluded for ever, all who had not sat since the trial of the king, unless they gave the house an entire satisfaction. At the same time, a committee was appointed to examine those who should offer themselves. This committee received, without scruple, those who were of independent principles, and found reasons to exclude their enemies. This indeed was a good expedient to prevent divisions in the parliament, because the members were all of one party. But this precaution bred an inconvenience, which called for other measures. The parliament consisted of so few members, that they perceived the ridiculousness of stiling themselves the representative of the commonwealth. It is true, the vacant seats might have been filled by new elections, but the parliament did

1649. did not care to run that riſque, knowing, their party was yet too inconſiderable, to hope for new members of their own principles. The houſe therefore reſolved, in order to increaſe their authority by a greater number of members, to permit all who had ſat in the preſent parliament, to reſume their places, on condition of ſigning an inſtrument called the Engagement, by which "they rejected all conceſſions made "by the king in the treaty of Newport; approved of all the "proceedings againſt him; and engaged themſelves to be "true and faithful to the commonwealth, as eſtabliſhed "without king or houſe of lords." By this engagement were excluded all the royaliſts, and the preſbyterians, who were the moſt rigid obſervers of the covenant. But however, a good number of the latter ſigned, and took their ſeats in the houſe, being either leſs ſcrupulous than their brethren, or in hopes to recover ſome influence in the parliament. Notwithſtanding, thoſe who were known to be moſt incenſed againſt the independents, were excluded by the committee. Edmund Ludlow, a member of this committee, freely owns in his memoirs, that an expedient was found to admit only thoſe, from whom it was believed, there was no danger [k].

They are readmitted on condition of ſigning an engagement. Ludlow, t. I. p. 292. Whitelock, p. 383. Which is ſigned by many preſbyterians.

Ludlow, t. I. p. 292.

The prince of Wales received at the Hague the melancholy news of the tragical death of his father, and immediately aſſumed the title of king, being then eighteen years of age. Within two or three days, the ſtates general, the ſtates of Holland, and the miniſters of the Hague [l], paid him their compliments of condolence. He cauſed thoſe of his father's council, who attended him, to be ſworn of his privy council, with the addition of only one perſon [m]. He had no ſooner eſtabliſhed his council, than he received a letter from the queen his mother, who, after expreſſions of her extreme affliction, adviſed him to retire into France, and form no council till ſhe had ſpoke with him, but her advice came too late. Probably, the queen deſigned to govern her ſon, as ſhe

The prince of Wales takes the title of king. Feb. Clarendon, III. p. 215. Eſtabliſhes a council. Id. p. 216. Is called by the queen into France.

k To ſupport their authority, the powers in being ordered, that there ſhould be twenty eight thouſand horſe and foot kept up in England, and twelve thouſand in Ireland, whoſe pay ſhould be 80,000 l. a month. Whitelock, p. 386.

l The body of the clergy in a Latin oration delivered by the chief preacher of the Hague, lamented the misfortune in terms of as much aſperity and deteſtation of the actors, as unworthy the name of chriſtians, as could be expreſſed. Clarendon, tom. III. p. 216. For which reaſon perhaps the ſtates inhibited their miniſters from inſiſting upon matters of ſtate in their pulpits, and particularly not to meddle with England's, or other kingdoms proceedings. Whitelock, p. 392.

m Mr. Long his ſecretary.

had

made him ſuſpend his reſolution of going to Ireland. And this it will be neceſſary to explain, 1649.

Since Cromwell's expedition into that kingdom, after the defeat of duke Hamilton, the face of affairs was entirely changed. The marquiſs of Argyle, with all the rigid covenanters who oppoſed the war againſt England, had regained the advantage they had loſt. The new parliament had declared incapable of all employments, thoſe who were concerned in the engagement formed by duke Hamilton, and the kirk had excommunicated them: ſo that they were conſidered as enemies of God and the ſtate. Of this number were William earl of Lanerick, brother of duke Hamilton, the earl of Lautherdale, and many others, who formed a faction, which I ſhall call Hamiltonian, and which was entirely cruſhed. By this revolution Scotland remained united with England, ſo long as the Engliſh parliament continued preſbyterian, that is, to the 6th of December 1648.

Affairs of Scotland. Id. p. 218.

Burnet's Mem. p. 348. &c. Whitelock.

The revolution in England, upon the armys expelling the preſbyterian members from the parliament to leave only independents, changed the intereſts of Scotland. The independents mortally hated the Scots on account of their attachment to the covenant, and theſe again looked upon the independents as enemies, no leſs formidable than the royaliſts. This might have ſunk the credit of Argyle, which partly ſubſiſted upon his friendſhip with Cromwell and Vane, the chiefs of the independents. But the Scots had a confidence in him, becauſe in religion he was an approved preſbyterian, though in politicks he leaned to the republican ſcheme. When the parliament of England had erected a court of juſtice for the trial of the king, the Scots found themſelves extremely embaraſſed. To ſuffer the independents to remain maſters of England after the death of the king, which was viſibly their deſign, could not but be very diſadvantageous to them. They perceived, that a parliament ſo compoſed would diſregard Scotland, and infallibly ruin the covenant between the two kingdoms, which it was of the utmoſt importance for the Scots to maintain, becauſe the preſbyterians might poſſibly one day recover the ground they had loſt. But on the other hand, they could not take up arms for the king without manifeſt danger. After their late loſs, they were hardly able to raiſe another army to fight the independents; and though they had done it, they would not have ſaved the king's life. They therefore reſolved to ſhew the Engliſh and all Europe, that they highly diſapproved the proceed-

1649. proceedings of the parliament of England, which was all they could do on that occaſion.

Clarendon, III. p. 218. Purſuant to this reſolution, commiſſioners were ſent to London, where they arrived the beginning of January 1648-9, and preſented a memorial to the parliament, ſetting forth the reaſons which ought to divert them from their purpoſe of trying the king. But this memorial produced no effect. At laſt, after the king had been twice brought before the high court of juſtice, they gave in their proteſtation, in which they put them in mind, "That they had, near three weeks before, repreſented to them, what endeavours had been uſed for taking away the king's life, and for the change of the fundamental government of the kingdom, and introducing a ſinful and ungodly toleration in matters of religion; and that therein they had expreſſed their thoughts, and fears, of the dangerous conſequences that might follow thereupon; and that they had alſo earneſtly preſſed, that there might be no farther proceeding againſt his majeſty's perſon, which would certainly continue the great diſtractions of the kingdom, and involve them in many evils, troubles, and confuſions; but that by the free counſels of both houſes of parliament of England, and with the advice and conſent of the parliament of Scotland, ſuch courſe might be taken in relation to the king, as might be for the good and happineſs of both kingdoms; both having an unqueſtionable, and undeniable right in his perſon, as king of both; which duly conſidered, they had reaſon to hope, that it would have given a ſtop to all farther proceedings againſt his majeſty's perſon. But now underſtanding, that after the impriſonment and excluſion of divers members of the houſe of commons, and without, and againſt the conſent of the houſe of peers, by a ſingle act of their own, and theirs alone, power was given to certain perſons of their own members of the army, and ſome others, to proceed againſt his majeſty's perſon, in order whereunto he had been brought before that extraordinary new court; they did therefore, in the name of the parliament of Scotland, for their vindication from falſe aſperſions and calumnies, declare, that though they were not ſatisfied with his majeſty's late conceſſions in the treaty at Newport, in the Iſle of Wight, eſpecially in the matters of religion, and were reſolved not to crave his reſtoration to his government, before ſatisfaction ſhould be given by him to that kingdom; yet they did all unanimouſly with one voice, not one member excepted, diſclaim

The Scots proteſtation. Id. p. 220. Whitelock, p. 370.

"the

" the leaſt knowledge of, or occaſion to the late proceedings 1649.
" of the army here againſt the king; and did ſincerely pro-
" feſs, that it would be a great grief to their hearts, and lie
" heavy upon their ſpirits, if they ſhould ſee the truſting his
" majeſty's perſon to the two houſes of the parliament of
" England, to be made uſe of to his ruin, contrary to the
" declared intentions of the kingdom of Scotland, and ſo-
" lemn profeſſions of the kingdom of England: and to the
" end that it might be manifeſt to the world, how much they
" did abominate and deteſt ſo horrid a deſign againſt his ma-
" jeſty's perſon, they did, in the name of the parliament and
" kingdom of Scotland, declare their diſſent from the ſaid
" proceedings, and the taking away his majeſty's life; pro-
" teſting, that as they were altogether free from the ſame,
" ſo they might be free from all the miſeries, evil conſe-
" quences, and calamities, that might follow thereupon to
" the diſtracted kingdoms."

The parliament anſwered this proteſtation, but after the king's death, ſaying; " They had heretofore told them, what " power this nation had in the fundamentals of govern- " ment: that if Scotland had not the ſame power and liber- " ty, as they went not about to confine them, ſo they would " not be limited by them; but leaving them to act in theirs " as they ſhould ſee cauſe, they reſolved to maintain their " own liberties, as God ſhould enable them. And as they " were very far from impoſing upon them, ſo they ſhould " not willingly ſuffer impoſitions from them, whilſt God gave " them ſtrength or lives to oppoſe them." They ſaid, " The anſwer they made to their firſt and ſecond letter was, " that after a long and ſerious deliberation of their own " intrinſical power and truſt, (derived to them by the pro- " videnee of God, through the delegation of the people) " and upon the like conſiderations, of what themſelves and " the whole nation had ſuffered, from the miſ-government " and tyranny of that king, both in peace, and by the " wars; and conſidering, how fruitleſs, and full of danger " and prejudice the many addreſſes to him for peace had " been, and being conſcious how much they had provoked " and tempted God, by the neglect of the impartial execution " of juſtice, in relation to the innocent blood ſpilt, and miſ- " chief done, in the late wars, they had proceeded in ſuch " a courſe of juſtice againſt that man of blood; as they " doubted not the juſt God (who is no reſpecter of perſons) " did approve, and would countenance with his bleſſings up- " on the nation; and though perhaps they might meet with " many

The parliament's anſwer. Clarendon, III. p. 221.

1649. "many difficulties, before their liberties and peace were set-
"tled, yet they hoped they ſhould be preſerved from con-
"fuſion, by the good will of him who dwelt in the buſh,
"which burned and was not conſumed; and that the courſe
"they had taken with the late king, and meant to follow
"towards others, the capital enemies of their peace, was,
"they hoped, that which would be for the good and happi-
"neſs of both nations; of which, if that of Scotland would
"think to make uſe, and vindicate their own liberty and
"freedom, (which lay before them, if they gave them not
"away) they would be ready to give them all neighbourly
"and friendly aſſiſtance, in the eſtabliſhing thereof; and de-
"ſired them to take it into their moſt ſerious conſideration,
"before they eſpouſed that quarrel, which could bring them
"no other advantage, than the entailing upon them, and
"their poſterities, a laſting war, with all the miſeries which
"attended it, and ſlavery under a tyrant and his iſſue."

Reply of the Scotch deputies. Clarendon, III. p. 221. Whitelock, p. 384, 389. Phillips.

Shortly after, the Scotch commiſſioners were recalled. But after their departure, an anſwer was in their name preſented to the parliament, which charged the ſitting Members with unfaithfulneſs, breach of promiſes and oaths, and other things very offenſive. This was ſo ill received by the parliament, that they ordered them to be arreſted on the road, and put under guard, till it ſhould be known whether they were avowed by their principals. But, the Scotch parliament juſtifying them, and complaining of the violation of the law of nations, they were immediately diſcharged.

Difficulties under which the Scots lay.

In ſo nice a juncture, the Scots had but two ways to prevent their falling into a dangerous anarchy. They were either, with the Engliſh, to change their government into a commonwealth, or elſe acknowledge the eldeſt ſon of the late king for their ſovereign. But each of theſe ways had its difficulties. A republican government was directly contrary to their antient conſtitution, the two covenants, and the inclination of the people. Beſides it was not ſeen what advantage could accrue to the nation from ſuch a change. The ſecond way was likewiſe very embaraſſing, conſidering the circumſtances of Scotland for many years paſt. Had James I. and Charles I. not invaded the privileges of Scotland, by introducing the religion of England, contrary to the inclinations of the people: had the differences between Charles I. and his Scotch ſubjects produced no civil war: had not the treaty which ended that war, and reſtored to the Scots their antient religion, been extorted from the king:

king: had not the invincible diſtruſt of the Scots, with regard to Charles I. armed them to leſſen his power in England, and diſable him to revoke his conceſſions to Scotland: had not the Scots ſworn two covenants, the one national, and the other common to both nations, to maintain preſbyterianiſm: had theſe things, I ſay, never happened, the Scots might, nay, ought to have acknowledged for ſovereign the next heir of the crown, according to the immemorial cuſtom of Scotland. But in the recognition of this new king, the maintenance of their laws, their privileges, their religion, was concerned. Herein lay the difficulty, for the acceſſion of a new king to the crown, was no reaſon to oblige them to relinquiſh things, which had coſt them a ten years war. They knew, prince Charles, eldeſt ſon of the late king, had the ſame principles as his father, concerning religion, and civil government; and had never entertained, nor did now entertain, any perſons about him, but what were mortal enemies to their nation and religion. Wherefore, in receiving him for king without any previous condition, they ran the riſk of being replunged into their former ſtate under Charles I. who by artifices, and, as they thought, by deceit, and at laſt by open violence, had undertaken to reduce the kirk of Scotland to a perfect conformity with the church of England. As therefore, agreeably to the laws and cuſtoms of the kingdom, it was natural to acknowledge for ſovereign him, to whom the crown was to devolve, it was no leſs proper, in the preſent juncture, to take care to preſerve what they had with ſo much difficulty recovered. Was it reaſonable for them, to deliver themſelves to the mercy of a young prince, yet a ſtranger to them, and cauſe their peace and happineſs to depend on his ſole will, notwithſtanding their ſuſpicions, that he had no more affection for them than his father? Nevertheleſs, as his affairs were almoſt deſperate, they imagined, the offer of their crown, might engage him to become a good Scot, and diſmiſs his Engliſh counſellors, who were not proper for Scotland; in a word, would think himſelf very happy to recover one of his Kingdoms, and ſee himſelf in the ſame ſtate in which his anceſtors were, before his grandfather's acceſſion to England. They reſolved, therefore, to acknowledge and proclaim him, but however with reſtrictions, which left them at liberty to capitulate with him. The proclamation was thus worded: 1649.

1649. "The eſtates of parliament preſently * convented in
"this ſecond ſeſſions of this ſecond triennial parliament, by
The Proclamation of Charles II. in Scotland. Feb. 5. Phillips. "virtue of an act of the committee of eſtates, who had
"power and authority from the laſt parliament, for convening the parliament; conſidering, that foraſmuch as the
"king's majeſty, who lately reigned, is, contrary to the
"diſſent and proteſtation of this kingdom, removed by a
"violent death; and that by the lord's bleſſing, there is left
"unto us a righteous heir, and lawful ſucceſſor, Charles
"prince of Scotland and Wales, now king of Great-Britain, France, and Ireland; we the eſtates of the parliament of the kingdom of Scotland, do therefore moſt unanimouſly and chearfully, in recognition and acknowledgment of his juſt right, title, and ſucceſſion to the crown
"of theſe kingdoms, hereby proclaim and declare to all the
"world, that the ſaid lord and prince Charles is, by the
"providence of God, and by the lawful right of undoubted
"ſucceſſion, king of Great-Britain, France, and Ireland,
"whom all the ſubjects of this kingdom are bound, humbly
"and faithfully to obey, maintain, and defend, according
"to the national covenant, and the ſolemn league and covenant betwixt the two kingdoms, with their lives and
"goods, againſt all deadly enemies, as their only righteous
"ſovereign lord and king.

"And becauſe his majeſty is bound by the law of God,
"and the fundamental laws of this kingdom, to rule in
"righteouſneſs and equity, to the honour of God, the good
"of religion, and the wealth of his people: it is hereby declared, that before he be admitted to the exerciſe of his
"royal power, he ſhall give ſatisfaction to the kingdom, in
"thoſe things that concern the ſecurity of religion, the unity
"betwixt the kingdoms, and the good and peace of this
"kingdom, according to the national covenant, and the ſolemn league and covenant, for which end we are reſolved,
"with all poſſible expedition, to make our humble and
"earneſt addreſſes to his majeſty. For the teſtification of
"all which, we the parliament of the kingdom of Scotland,
"publiſh this our acknowledgment of his juſt rights, title,
"and ſucceſſion to the crown of theſe kingdoms, at the
"market-croſs at Edinburgh, with all uſual ſolemnities in
"like caſes, and ordain his royal name, portrait, and ſeal,
"to be uſed in the publick writings and judicatories of this

* Preſently in the Scotch papers is uſed for now, or at preſent.

"kingdom,

" kingdom, and in the mint-houſe, as was uſually done to " his royal predeceſſors, and command this act to be pro- " claimed at all the market-croſſes of the royal burghs, and " to be printed, that none may pretend ignorance." 1649.

When the proclamation was publiſhed, the council diſpatched ſir Joſeph Douglas, to give the king notice of it, and the ſtates ſent alſo two commiſſioners [p], only to inform him of what had been acted in his favour, but without any order or inſtruction to treat with him. Before the conditions on which he was to be inveſted with the royal authority were propoſed to him, it was neceſſary to know, if he would accept the crown upon terms not yet known, but eaſy to be gueſſed [q]. The commiſſioners found the king at the Hague, where there arrived at the ſame time, but in another ſhip, the earls of Lanerick and Lautherdale, and ſome time after the earl of Montroſe alſo from France. When the late king, after his retreat to the Scotch army, ordered Montroſe to lay down his arms, he retired into Germany, and ſerved in the emperor's army. Afterwards he went into France, where the queen and prince of Wales gave him a reception very different from what he expected, after his great ſervices in Scotland. This coldneſs was owing to his arrival in France, at the very time the queen was uſing her endeavours to perſuade the king her huſband, to throw himſelf upon the preſbyterians and Scots, and grant all their demands, imagining, he had no other refuge. It was therefore no proper ſeaſon to careſs a man, who was extremely hated in Scotland. He had been very ſucceſsful in ſerving the king, but had uſed his advantages with ſuch barbarity, that he had been degraded by the parliament, and excommunicated by the kirk; ſo that in Scotland he was conſidered as an enemy to the nation, and to preſbyterianiſm. As his reſidence in France was very diſagreeable, he no ſooner heard of the death of Charles I, then he repaired to the Hague to offer his ſervice to the new king. In his retinue, were ſome Scottiſh lords and gentlemen attached to his fortune.

The king informed of it by an expreſs. Clarendon, III. p. 217. Whitelock. Heath.

The earls of Lanerick, Lautherdale, and the marquiſs of Montroſe arrive at the Hague. Clarendon, III. p. 217. 223, 224.

The king received very coldly the news of his being proclaimed, by reaſon of the reſtriction in the proclamation. There was however nothing ſtrange in it, ſince the Scots pretended only to require what had been aſked of Charles I.

The king receives the news of the proclamation coldly.

[p] The commiſſioners of the kirk ſent alſo four of their miniſters. Clarendon, tom. III. p. 217.

[q] The kirk declare, that he ſhould firſt ſign the covenant, ſubmit to the kirk's cenſure, renounce the ſins of his father's houſe, and the iniquity of his mother. Ibid. p. 222.

1649. agreeably to their covenant, and the covenant of the two kingdoms. But the king and his council, it ſeems, were perſuaded, that the Scots had not the leaſt right to exact ſuch conditions. That is to ſay properly, the Scots in their recognition of the new king, ought at the ſame time to acknowledge the injuſtice of their covenants, and depart from all their pretenſions. Theſe were two contraries which they thought to be irreconcileable, namely, that the Scots ſhould own the king's undoubted right, and yet deſire to capitulate with him. In a word, they pretended that the tranſactions of the laſt ten or twelve years, ought to be entirely buried in oblivion. Charles I. Charles II. and their counſellors, were prepoſſeſſed with an opinion which often deceived them, namely, that there was no mean between an abſolute attachment to the king, and a total enmity to him. The lord Clarendon's hiſtory abounds with inſtances of this prepoſſeſſion. But to confine myſelf to the preſent occaſion, this illuſtrious hiſtorian in repreſenting the Scotch nation, as animated with a juſt indignation againſt the Engliſh parliament, for the king's death, would infer, that Scotland was inclined to accept the prince his ſon for ſucceſſor without any condition. But as this did not happen, he aſcribes it to the artifices and credit of the marquiſs of Argyle. He ſays, the marquiſs would have been glad to prevent the king's being proclaimed, but as he durſt not oppoſe the general ſentiment of his country, he was forced to conſent to it. According to him, the marquiſs of Argyle was the ſole cauſe of the reſtriction in the proclamation. This ſuppoſes the proclamation to have been the general ſenſe of the people, and the reſtriction the effect of Argyle's intrigues. But if this reſtriction was agreeable to the intereſts and ſentiments of the ruling party, as I have ſhown, why is it aſcribed to the marquiſs alone? Was it impoſſible for the people of Scotland to acknowledge king Charles II. without an entire confidence in him? But the Scots acted with him only in the ſame manner as they acted with his father, as appears in the covenant itſelf, wherein they ſhowed an extreme diſtruſt of the late king, even when they engaged to defend his perſon and rights. The reſtriction therefore contained nothing new, or extraordinary. It was a natural conſequence of the troubles begun in 1637.

Remark on a paſſage in the lord Clarendon's Hiſtory. t. III. p. 222, 227.

However this be, Charles believed, that no great regard was due to what had yet been done for him in Scotland. He underſtood, that in the intended capitulation, things would be demanded which he had reſolved not to grant, as

Diviſion amongſt the Scots at the Hague. Clarendon, III p. 222. 224.

the

the confirmation of the covenant and the preſbyterian government. He wiſhed however to juſtify his diſinclination to Scotland, by the advice and opinion of the Scotch lords who were with him at the Hague. For this purpoſe he would have had them appear together before his council, and upon being conſulted, diſſuade him from going to Scotland, and the council thereupon form their reſolution. The marquis of Montroſe approved of this proceeding; but the earl of Lautherdale, and the earl of Lanerick who took the title of duke Hamilton, on hearing at the Hague the tragical death of his brother, would not conſent to it. They thought it too nice a proceeding, for Scotch lords to appear before an Engliſh council. By that the earl of Traquaire had been ruined. On the other hand, they were ſo enraged againſt the marquiſs of Montroſe, that they would have no communication with him. When the king found he could not bring them together to conſult upon this ſubject, he declared however, he would not go into Scotland, and perſiſted in his reſolution for Ireland. Thus, upon a bare information that Scotland would not receive him without conditions, he reſolved to refuſe the crown of that kingdom. And, what is more, he gave commiſſion to the marquiſs of Montroſe to raiſe forces in Germany, and make a deſcent upon Scotland. So, receiving with acknowledgment, the offer made him by the Scots, he ordered a war to be levied upon them, as upon enemies, becauſe they refuſed to admit him for their ſovereign, without a previous engagement. Nothing is more proper to demonſtrate the neceſſity of the precautions taken by the Scots, though ſome hiſtorians are pleaſed to repreſent them as very unjuſt.

1649.

p. 232, 233.

The king declares againſt going into Scotland. p. 233. Ludlow.

He gives Montroſe a Commiſſion to invade Scotland. Clarendon. III. p. 269. Warwick.

The king could not reſide any longer in Holland, where it was intimated to him, that the dread, the ſtates were under, of a quarrel with the new commonwealth of England, made his ſtay there very unwelcome. Beſides, they received advice, the parliament was to ſend an agent, to propoſe between the two commonwealths a ſtrict alliance; and the affair was not to be negotiated whilſt the king remained at the Hague. This agent, named Doriſlaus, arrived indeed before the king left the place. But the ſame evening that he came to the town, as he was at ſupper in his inn, with ſome other perſons, ſix Scots of the marquiſs of Montroſe's retinue entered the room, and dragging him from the table, murdered him [r]. The aſſaſſins were neither

Clarendon, III. p. 228.

Doriſlaus the Engliſh agent aſſaſſinated at the Hague. May 3. Clarendon. III. p. 228, 229. Ludlow. Whitelock.

arreſted,

r He was doctor of the civil law, born in Delft in Holland, and bred at Leyden, but afterwards lived long in London, having been received into Greſh-

1649. arreſted, nor immediately purſued; and though afterwards ſome pains were taken to apprehend them, the ſtates ſhowed on that occaſion a great regard for the king, which offended the parliament. Nevertheleſs the king knew, after this action, there was no remaining at the Hague, and the prince of Orange advertiſed him, that he would be deſired to depart. He therefore ſent his heavy baggage and ſome of his domeſticks to Ireland, with a reſolution to follow them, after he had paid a viſit to his mother in France. But as he was not yet ready, he prevented the ungrateful compliment he was to receive, by preſenting himſelf to the ſtates a memorial of the ſtate of his affairs, and aſked their opinion, whether he ought to go to Ireland or Scotland. The ſtates obſerving he was about to depart, thought it not convenient to preſs him, and thereby he gained time to be prepared.

The king prepares for Ireland.

He preſents a memorial to the ſtates, Clarendon, III. p. 230.

Inſurrection in Scotland. Clarendon, III. p. 222.

While the king was deliberating at the Hague, concerning the offer from Scotland, the ſtates of that kingdom were ſettling the terms on which he was to be received, not doubting his inclination and readineſs to accept the offered crown. But he had friends in Scotland, who, better informed of his ſentiments, reſolved to diſturb the publick deliberations, by an inſurrection, in hopes that a happy ſucceſs would cauſe the king to be admitted without any condition. With this view Middleton, Monroe, the Gordons and others, aſſembled ſome forces in the north, and ſeized the town of Inverneſs. But the parliament having before received intimation of their deſign, had already raiſed forces, which immediately marched to the north, under Straughan and Kerr, and diſperſed the mutineers before they could aſſemble all their forces.

ibid. Whitelock. p. 386. Heath. Phillips.

Condition of affairs in Ireland. Clarendon, III. p. 249. Phillips.

Though the king had firmly reſolved to go into Ireland, it was impoſſible for him to execute his deſign, by reaſon of the turn in his affairs in that iſland. After the parliament was become maſter of Dublin, it had been often moved in the houſe, to ſend a powerful reinforcement to Ireland: but the oppoſite intereſts of the preſbyterians and independents hindered the taking any reſolution. The firſt were for ſending

Greſham college, as a profeſſor in one of thoſe Chairs, which are endowed for publick lectures in that ſociety; and had been from the beginning of the troubles, in the exerciſe of the judge advocates office in the earl of Eſſex's army. The lord Clarendon ſays, they were Scots, and dependents upon the marquiſs of Montroſe, that murdered him. tom. 3, p. 229. But Whitelock ſays, that they were twelve Engliſh cavaliers who ſtabbed him in ſeveral places, and cut his throat, one of them ſaying at the ſame time, thus dies one of the king's Judges. Whitelock, p. 401. Ludlow ſays, they were Engliſh and Scots, tom. 1. p. 291.

ſir

ſir William Waller to command there, and the latter were as earneſt for major-general Lambert. The diviſion between the parliament and army which aroſe quickly after, brought new obſtacles to the affair. At laſt, the revolt of Wales, the inſurrections in other counties, and the preparations of the Scots to invade England, diſcharged all thoughts of Ireland. If, in this interval, the Iriſh could have come to an union amongſt themſelves, and have joined the marquiſs of Ormond, they might have expelled the parliament's forces, and rendered themſelves maſters of the whole kingdom. But their diviſions hindered them from improving ſo favourable an opportunity. It was not, as I obſerved, till the end of the year 1648, that they made peace with the marquiſs of Ormond, and the oppoſition of O Neale kept the marquiſs from taking the field till April 1649, when the king was dead, and the government of England modelled into a commonwealth. 1649. Clarendon, III. p. 247.

The union of the Iriſh with the royaliſts, the progreſs of the marquiſs of Ormond, the extreme weakneſs of the parliament's party in that nation, brought at laſt the houſe to a reſolution of ſending thither a good army, with all poſſible diligence. Waller, who was a preſbyterian, was no longer conſidered as a proper general to ſerve the parliament; and Lambert, till then ſupported by Cromwell, was now ſupplanted by him. Cromwell believed, the government of Ireland was a poſt not unworthy of himſelf, and ſo managed by his intrigues, that he was unanimouſly choſen to fill the dignity of lord-lieutenant of that kingdom. But before his troops could be ready for that expedition, he had a difficulty to overcome, which might have had dangerous conſequences. Cromwell is made governor there. Clarendon, III. p. 249. Whitelock.

Beſides the cavaliers and preſbyterians, the parliament had other enemies, who only waited an opportunity to declare and were in the army itſelf. Theſe were the levellers, who were diſſatisfied, for that after they had ſerved as inſtruments to ruin the preſbyterian parliament, they were not only diſregarded, but even called ſeditious and rebels. This occaſioned their aſſembling upon Cromwell's being appointed to command in Ireland, under a pretended neceſſity of enquiring what troops were proper to ſerve in that kingdom [s]. To that end they met at Burford to the number of five Inſurrections of the levellers. Clarendon, III. p. 280. Phillips. Heath. p. 233. Whitelock. p. 401, 402.

[s] Or rather upon the parliament's voting, that eleven regiments, moſtly conſiſting of levellers, ſhould by lot be choſen for the ſervice of Ireland. Heath, p. 233.

thouſand,

1649. thouſand, and without any precaution continued there, pretending a promiſe from Cromwell, that no part of the army ſhould approach within ten miles. But Raynolds, by the command of general Fairfax, unexpectedly fell upon them with five or ſix thouſand men, and gave them an entire defeat. Nine hundred horſe, and four hundred foot were ſent priſoners to London, and ſome of them executed. Others obtained their pardon by Cromwell's mediation. This affair being thus happily ended, the army was prepared which Cromwell was to lead into Ireland.

May 15.

The marquis of Ormond unſucceſsful in Ireland. Clarendon, III. p. 248. Bates. Phillips. Ludlow.

While this army was aſſembling, the marquis of Ormond approached Dublin to beſiege it. Whereupon, Cromwell immediately ſent about three thouſand men to reinforce the garriſon which was very weak. Mean while, as he believed he could not arrive ſoon enough to ſave that city, he reſolved to land his army in Munſter, where he hoped to find no obſtacle, becauſe he knew, the lord Inchiquin, preſident of that province, was departed with his Engliſh troops, to reinforce the army under the marquis of Ormond. But the marquiſs having notice of his intention, immediately diſpatched the lord Inchiquin with the forces under his command to prevent his landing, by which he conſiderably weakened his army. He however continued his march, and began the blockade of Dublin about the middle of June. He ſtaved ſome time at Finglas, five miles from Dublin, in expectation of freſh troops, and at laſt paſſed the river, and poſted himſelf at Rathmims, to lay the ſiege in form. While he was in this camp, the ſuccours ſent by Cromwell arrived in Dublin. A few days after, the marquis of Ormond reſolved to repair an old caſtle, which by its ſituation was proper to hinder any freſh relief from entering the town. Then colonel Jones the governor, who from a lawyer was become a good officer, perceiving how much theſe fortifications might annoy him, reſolved to prevent their being finiſhed. For that purpoſe he put the garriſon under arms in the night, and at break of day making a ſally, marched directly to the caſtle, and carried it ſword in hand. This ſucceſs cauſed him to advance towards the enemy's camp. He met by the way a body of horſe, which ſtopped him ſome time. But the body being diſperſed, brought ſuch terror to the Iriſh army, that they fled in confuſion without ſtriking a blow. The marquiſs of Ormond was forced to follow them, for fear of falling into the hands of his enemies. After the defeat, he was obliged to retire to ſome diſtance, to wait for the ſuccours, he had been promiſed.

His lays ſiege to Dublin.

His army defeated. Aug. 2. Ludlow.

Cromwell

Cromwell informed of this good ſucceſs whilſt he was embarking his army, altered his deſign, and inſtead of going to Munſter, ſailed to Dublin, where he ſafely arrived about the middle of Auguſt with about fifteen thouſand men. When the marquiſs of Ormond knew that Cromwell was at Dublin, he retired to a ſtill greater diſtance, and left in Droghe-da a numerous garriſon [t], under the command of ſir Arthur Aſton, an officer of reputation, who had been governor of Reading, and afterwards of Oxford. About the ſame time Londonderry, the moſt conſiderable city in the north of Ireland, which was beſieged by the king's forces, was relieved by a ſally made by ſir Charles Coot, much in the ſame manner as Dublin was by Jones [u]. 1649. Cromwell lands at Dublin. Phillips. Clarendon, III. p. 251. Bates. Ludlow. Phillips.

From what has been ſeen, it is manifeſt the king could not venture into Ireland, where he had no other ſuccours to carry but his perſon, while Cromwell was aſſembling his army on the coaſt, and ſtill leſs, after Ormond's defeat. But as, on the other hand, he was looked on with no good eye in France, where, ſince his arrival, the court had made him no offers of ſervice, he reſolved to withdraw into the iſle of Jerſey, as the only place where he could hope to be favourably received [w]. He retired therefore to that iſle with his brother the duke of York and his ſmall court, where he continued ſome months [x]. The king deſiſts from his deſign of going into Ireland. Clarendon, III. p. 251, 264. He retires to Jerſey. Septemb. Clarendon, III. p. 252, 258.

The commotions raiſed by the king's friends in Scotland being appeaſed, the committee of eſtates aſſembled to prepare the conditions to be demanded of the king. It ſeems, they were not informed in Scotland of the king's ſentiments, ſince they continued to deliberate upon that ſubject, which doubtleſs they would not have done, had they been acquainted with his reſolution. In all probability, as the eſtate had not yet expreſsly invited him to come and receive the crown, he did not think himſelf obliged to communicate his thoughts to them, and if the envoys of the eſtates and council had received an anſwer from him, it was too general for any thing to be inferred from it. However this be, the committee of Phillips. Windram ſent to him from Scotland. Phillips. Clarendon, III. p. 265, 266. Bates. Burnet's Hiſt. p. 51.

[t] Of three thouſand foot, and two or three troops of horſe. Clarendon, tom. III. p. 251.

[u] Rapin, by miſtake, ſays, ſir Richard Coot, but it was ſir Charles, who was afterwards earl of Montrath.

[w] He had been lately proclaimed king there, by ſir George Carteret the governor. Whitelock, p. 376.

[x] This year, upon information, that the Turkiſh alcoran was printing in England, it was ordered, on March 10, to be ſuppreſſed. ——May 8, the queen of Bohemia's penſion of 12000 l. was ſuſpended. ——June 7, at an entertainment in the city, the earl of Pembroke refuſed to ſit above mr. Whitelock, the ſenior commiſſioner of the great ſeal, ſaying, "As much honour "belongs to that place under a com-"monwealth, as under a king." Whitelock, p. 390, 400, 406.

eſtates

1649. eſtates having learned, the king was in Jerſey, ſent mr. George Windram to acquaint him, they were deſirous to treat with him concerning his eſtabliſhment in Scotland: but as the iſle of Jerſey was neither ſafe, nor commodious, he was deſired to name ſome town in the Low Countries, where he might receive their commiſſioners. For that purpoſe, it was required of him as a preliminary, without which there could be no negotiation, to acknowledge the authority of the preſent parliament and particularly of the two laſt ſeſſions.

Phillips. Windram left Edinburgh the 25th of September, but was not with the king till towards the end of October, being detained by contrary winds: ſo that the king was fully informed of what had paſſed in Ireland, where Cromwell having taken Drogheda by aſſault, had put the garriſon to the ſword, and

Clarendon, III. p. 264, 276. Phillips. Bates. was continuing his progreſs with wonderful rapidity. This news made the king look upon Scotland with another eye than before. He knew, he ſhould be unwelcome both to France and Holland. From Ireland he was entirely excluded, nor could Jerſey long afford him ſubſiſtence. Beſides, he was told, the parliament had given orders for a fleet to reduce that iſland, which was not in a condition of defence. Scotland therefore was the only place where he could find ſafety and ſubſiſtence. For this reaſon, he received Windram very graciouſly, and named Breda for the reception of the Scotch commiſſioners, promiſing, he would be there the 15th of the following March. It was not however without ſome uneaſineſs that he came to this reſolution. Beſides his little affection for the Scots, whom he regarded as the principal authors of his father's misfortunes, not one counſellor adviſed him to put himſelf into their hands, though it was impoſſible to direct him to another retreat. So it was meer neceſſity which cauſed him to reſolve to liſten to the propoſitions the Scots were to make him. That this was his only motive, can hardly be doubted, when it is conſidered, that on the 30th of January 1649-50, he writ to the marquiſs of Montroſe, that the Scots had ſent Windram to him, and that their commiſſioners were to repair to Breda, in March to treat with him. Wherefore, he preſſed him to haſten his preparations for a deſcent into Scotland before the affair ſhould be ſettled, in order if it was poſſible, and ſhould pleaſe God to favour him with ſucceſs, to prevent the concluſion thereof [y].

The king names Breda for the place to treat with the Scots commiſſioners. Phillips, p. 593. Clarendon, III. p. 266. Burnet.

He writes to Montroſe to haſten his preparations againſt Scotland. 1649-50. Phillips. p. 593. Bates. Burnet, p. 52. Warwick.

Windram

[y] The earl of Clarendon ſays nothing of this letter from the king to the marquiſs of Montroſe; but Phillips, Bates, and others, are poſitive that

Windram being returned with the king's anſwer, the committee of eſtates laboured inceſſantly to finiſh the propoſitions to be ſent to the king. The draught was laid before the parliament, and after ſome amendments, ordered to be communicated to the general aſſembly of the kirk, where it was approved. Hence it appears, that theſe propoſitions were ſettled with the common conſent, ſince they had the concurrence of both parliament and kirk, though ſome have been pleaſed to attribe them ſolely to the marquis of Argyle, as if they were more agreeable to his intereſt than that of the kingdom. After that, the parliament and general aſſembly named commiſſioners to carry them to the king. Theſe commiſſioners arrived at Breda at the time appointed [z], and preſented the conditions to him, on which the Scots would admit him to the exerciſe of the regal power. They conſiſted of theſe four articles: 1649. Heath.

1. That all thoſe who have been, and continue excommunicate by the kirk of Scotland, may be removed from having any acceſs to the court. Conditions preſented to the king by the Scotch commiſſioners. Phillips, p. 595. Clarendon, III. p. 267. Bates. Whitelock.

2. That he would be pleaſed to declare, that he would by ſolemn oath under his hand and ſeal, allow the national covenant of Scotland, and the ſolemn league and covenant of Scotland, England and Ireland; and that he would proſecute the ends thereof in his royal ſtation.

3. That he would ratify and approve all acts of parliament, enjoining the ſolemn league and covenant, and eſtabliſhing preſbyterian government, the directory of worſhip, the confeſſion of faith and catechiſm in the kingdom of Scotland, as they are already approved by the general aſſembly of the kirk, and by the parliament of that kingdom, and that he would give his royal aſſent to the acts of parliament injoining the ſame in the reſt of his dominions, and that he would obſerve the ſame in his own practice and family, and never make oppoſition therein, or endeavour any change thereof.

4. That he would conſent and agree that all matters civil might be determined by the preſent and ſubſequent parliaments of the kingdom of Scotland, all matters eccleſiaſtical by the enſuing general aſſemblies of the kirk, as

that it was writ. Rapin. —— The lord Clarendon owns, the king had given the marquiſs a commiſſion to raiſe a force together. See tom. III. p. 269. And Warwick's Mem. p. 355.

z The commiſſioners from the eſtates were, the earls of Caſſils and Lothian, the lord Burley, and ſir John Windram; and thoſe from the kirk were, Leviſton, Wood, and Broady. Phillips, p. 594.

was

1649. was formerly condeſcended and agreed to by his late father.

After hearing theſe conditions, the king demanded, whether theſe papers they had delivered to him, contained all the particulars which they had to propound or deſire? Whether they had power to recede from any particular article, or to treat with him concerning the aſſiſtance of Scotland, to place him on the throne of England? They anſwered, their commiſſion extended only to the offering of theſe propoſitions, and to receive either his conſent or refuſal.

Reflections upon theſe propoſitions.

Theſe conditions, which to the Scots appeared very juſt, lawful, and abſolutely neceſſary for the ſafety of Scotland, ſeemed to the king very hard and unreaſonable. This contrariety will not appear ſtrange, if it is conſidered, that the king and the Scots reaſoned upon different principles, and with oppoſite views. And this it will not be improper to unfold.

The people of Scotland were perſuaded, they had been oppreſſed by James VI. in the eſtabliſhment of epiſcopacy in Scotland by that prince, which had been aboliſhed by the reformation: that this had been effected by addreſs, by artifice, by violence, whilſt corrupt parliaments were employed to enact new laws concerning religion, without conſulting the kirk, contrary to her will and expreſs declarations: that Charles I. by a fraud ſupported with force, had inveſted himſelf with a power of ordaining whatever he pleaſed in matters of religion, by virtue of an act ſuppoſed by him to be granted by a plurality of voices, though it was rejected: that by this pretended power, he had not only reſtored biſhops to their revenues and government in the church, but alſo given them a juriſdiction more extenſive than ever: that he had eſtabliſhed a high commiſſion to ſupport that injuſtice, and entirely ſuppreſſed the general aſſemblies. In a word, that he had changed the preſbyterian government, eſtabliſhed by the reformation, into an hierarchy, exactly like that of the church of England: that he had alſo attempted to impoſe upon them a liturgy and canons, unknown to their anceſtors, and to reduce the worſhip of the church of Scotland, to a perfect conformity with that of England: that the people of Scotland, for their own preſervation, and the maintenance of their rights, ſo manifeſtly invaded, had judged it proper to unite in a covenant, intended for the preſervation of the king's juſt rights and the privileges of the people and kirk; that the king, not contented with what of right belonged to him, had twice made war upon his Scotch ſubjects to maintain

ain his uſurped power, and render Scotland dependent upon England: that the war had been ended by a treaty, to which the king would not have conſented, if he had not been forced to it by the affairs of England: that after the treaty he came into Scotland, where he granted his ſubjects whatever they demanded, and even thoſe things which before he had haughtily and obſtinately refuſed: that therefore it was to be ſuſpected, he had only accommodated himſelf to the times, till a favourable opportunity offered, to revoke his conceſſions: that it was not ſtrange the Scots ſhould entertain that ſuſpicion, ſince the king, by the ſame conduct in England, had deſtroyed all confidence in him: that it was therefore abſolutely neceſſary to reduce him to a ſtate, which would remove all danger of his retracting: that to this end, the Scots had made with the Engliſh a ſolemn league, as having the ſame common intereſt, and that the ſword had decided in favour of the allies againſt the king: that notwithſtanding the deciſion, the Scots had never thought of withdrawing from the obedience due to the king, but only of obtaining other ſecurity than his bare word: that the tragical death of Charles I. had not changed the ſtate of affairs in Scotland, or procured them the ſo long deſired ſecurity: that they required no more of the new king, than they had a right to demand of his father: that their deſires were not unjuſt, ſince they expected only to be maintained in the ſtate, which they enjoyed before the two laſt kings had attempted to alter the eſtabliſhed religion according to their caprice, and the pleaſure of their Engliſh counſellors: that they had run all hazards to reſtore themſelves to the condition from whence they were fallen: that God having granted them a happy ſucceſs, they ſaw no ſufficient reaſon to oblige them to deſiſt, and expoſe their repoſe and religion to the caprices of a young prince, who was known to be of the ſame ſentiments and principles as his father and grandfather: that the conditions offered him, limited not his prerogative as king of Scotland, but only put it out of his power, to tread in the ſteps of his father: that in offering him the crown of Scotland, it was lawful to require, that he ſhould govern according to the true intereſt of the kingdom: that if theſe conditions appeared to him contrary to his intereſt with regard to England, he was at liberty to reject them; but his intereſt with reſpect to England, was not a good reaſon to engage the Scots to venture their happineſs, in leaving him to govern as he pleaſed: that it was not yet fifty years ſince James VI. became king of England, and that Charles I. having loſt that crown by

1649.

1649. by his ill conduct, and Charles II. being utterly unable to recover it, he ought to eſteem himſelf happy, that his Scotch ſubjects had offered him the crown of his antient kingdom, on the ſame terms it had been enjoined by his anceſtors for many ages; and that in becoming a good Scotsman, he would be reſtored to what his predeceſſors, kings of Scotland, had formerly been: that it was not reaſonable to ſuffer perſons excommunicate, and conſpirators againſt the ſtate, in attempting, by force, to reſtore the late king, to approach the new king with their pernicious counſels, tending to ſow diviſion between him and his ſubjects.

Reaſons and intereſts of the king.

But the king reaſoned upon other principles. The offer of the crown of Scotland was no farther regarded by him, than as a means of reſtoring him to the throne of England; that was the principal object of his attention. He little cared to be king of Scotland, if he could not uſe the forces of that kingdom to procure him the Engliſh crown. Mean while, his power was to be ſo limited that it ſhould not be poſſible to receive any advantage from Scotland to that end. Thoſe who were eſteemed by him as his beſt friends, and had uſed their utmoſt endeavours to free his father and reſtore him to the enjoyment of his rights, were to be removed from his perſon and council, and yet theſe were the men he deſigned to employ for the recovery of England. In accepting the crown of Scotland, he was to forget, he had any juſt claim to England; he was to govern Scotland as his anceſtors governed it before their acceſſion to the Engliſh throne; that is to ſay, he was to look upon his Engliſh friends with continual diſtruſt, and conſequently renounce all hope of a re-eſtabliſhment in England. He was to ſwear to the national covenant, made againſt the king his father, the intent of which was to prevent for ever the introducing the church government and worſhip of England into Scotland, which alone in his opinion were lawful. He was to ſwear to the covenant of the two kingdoms, the ſole deſign of which was to maintain preſbyterianiſm already eſtabliſhed in England, which was an infallible way to make him loſe all his friends. He was, laſtly, not only to approve and protect preſbyterianiſm in the two kingdoms, but alſo promiſe a ſincere and conſtant profeſſion of it himſelf. But this was directly contrary to his ſentiments and conſcience, ſince he hardly believed the preſbyterians to be any part of the chriſtian church.

Hence

Hence it appears that the intereſts of the king and thoſe of the Scots were no leſs oppoſite than during the life of Charles I. and that the ſame difficulties ſtill ſubſiſting, could be ſurmounted only by the arms or acquieſcence of one of the parties. The king was unable to uſe force, and yet the terms to be impoſed upon him appeared ſo hard, that he would have immediately rejected them, if he could have taken any other courſe. But his melancholy circumſtances, not knowing where to ſubſiſt or even to be ſafe, obliged him, though very unwilling, to diſſemble his reſentment, and to treat with the Scotch commiſſioners upon propoſitions which to him ſeemed moſt unjuſt. There were two articles which he could not digeſt. The firſt was, the obligation to ſwear to the covenant. He ſaid, the covenant was made for the ſubjects, and not for the prince, ſince the taker ſwore to be faithful to the king, and it was abſurd to make him ſwear allegiance to himſelf. This objection would have been unanſwerable, had the covenant contained only this article. But there were others, in which it was ſaid, the king was no leſs concerned than his ſubjects. The ſecond related to religion. He was willing, he ſaid, to conſent to the eſtabliſhment of preſbytery in Scotland by act of parliament: but, as to his own perſon, he could not with juſtice be required to renounce the religion for which the king his father had died a martyr; however, he would content himſelf with only three chaplains to celebrate divine ſervice in his preſence after the manner of the church of England. But all he could alledge was ineffectual; the commiſſioners had not power to recede from any article. Thus had the parliament of England offered to treat with his father, without leaving him other liberty than to accept or refuſe their propoſitions. But though the king perceived it would be to no purpoſe to diſpute upon the articles, he deſired however to prolong the negotiation as much as poſſible, in hopes of good news from Scotland, where he knew the marquis of Montroſe would ſhortly make his appearance. This was his laſt refuge; and had the marquis been attended with his former ſucceſs, the treaty of Breda would ſoon have ended, ſince it was in the king's power to reject abſolutely the offered conditions. But the marquis's progreſs did not anſwer the king's expectations.

1649.

The king diſſembles his reſentment. Clarendon, III. p. 267. Phillips. Burnet.

Forms difficulties upon the covenant and religion as they related to his own perſon. Clarendon, III. p. 267. Phillips, p. 595.

The commiſſioners will not recede.

Are amuſed by the king. Phillips.

After that lord had left the king at the Hague, he went into Germany to endeavour to raiſe forces and money, the king having only given him a bare commiſſion without other aſſiſtance. The king of Denmark, as Charles's near relation,

The progreſs of the marquis of Montroſe in Germany.

1650. tion, furniſhed him with a ſum of money, and the Engliſh ſettled in Sweden aſſiſted him to the utmoſt of their power. With this relief he was enabled to buy arms and ammunition, and to liſt five hundred ſoldiers, which he ſent in March to one of the iſles of Orkney. He followed them himſelf in April, and from thence repaired with his troops to Cathneſs in the north of Scotland. This was at the very time the Scotch commiſſioners were with the king at Breda. As the king was informed that Montroſe was now gone for Scotland, he waited the ſucceſs of the expedition, before he would conclude with the commiſſioners, whom he nevertheleſs entertained with hopes of granting their demands.

Clarendon, III. p. 270, &c. Phillips.

He arrives in Scotland. March. Bates. Burnet. Whitelock. Clarendon, III. p. 271.

After the marquis's arrival at Cathneſs, he ſeized a caſtle where he might ſecure his arms and ammunition, and then writ to his friends to join him. At the ſame time he publiſhed a manifeſto, declaring, "That he was come with a "commiſſion from the king to protect his good ſubjects; but "with no deſign to obſtruct the negotiation at Breda; on "the contrary, he hoped to haſten the concluſion of it by "means of his army. If the treaty ſucceeded, he ſhould "readily lay down his arms on the firſt command from his "majeſty."

The conduct of the king offenſive to the parliament of Scotland; Id. p. 272.

The Scotch parliament then ſitting at Edinburgh was ſurpriſed to hear of Montroſe's arrival in that juncture, with the king's commiſſion. It was not difficult to perceive that, whatever was pretended, this was not to advance the treaty, but rather to obſtruct it, and force the parliament to deſiſt from conditions which were thought neceſſary for the ſafety of the kingdom. It may well be imagined, this tended not to breed a good opinion of the king's ſincerity.

which raiſes 6000 men againſt Montroſe. Phillips.

Straughan ſent before with 300 horſe. Bates.

Mean while, as Montroſe was very formidable, by reaſon of his former great ſucceſſes in favour of the late king, the parliament gave immediate orders for raiſing, with all poſſible expedition, an army of ſix thouſand men, under the command of David Leſley. Till the army was ready, colonel Straughan was detached with three hundred horſe to the northward, in order to awe the country, and prevent the king's friends from riſing and joining Montroſe. This precaution had a ſurpriſing effect. The king's adherents, whether through fear of falling into the hands of Straughan, or becauſe of the ſix thouſand men which were to follow, durſt not ſtir, and Montroſe was joined only by ſome ill armed and worſe diſciplined highlanders. So, his little army, if it deſerves that name, compoſed of ſoldiers of different nations, ſtrangers to one another's language, and in a barren country, could

ould make no great progreſs. Beſides, as Montroſe had 1650.
cavalry to ſend out for intelligence, he knew not what paſſed in other places, and particularly Straughan's march, vainly expecting the king's adherents to come and join him. To this ignorance was owing his being ſurpriſed by Straughan's little troop, which, after a long march, fell upon him when leaſt expected. At the approach of the enemy, the highlanders deſerted and fled; the foreigners made more reſiſtance, but were routed at laſt [a]. The marquis himſelf being forced to fly, threw away his ribband and george, diſguiſing himſelf like a peaſant to prevent a diſcovery. He wandered ſome days in that habit, and at laſt put himſelf into the hands of a gentleman, named Aſton, who had formerly ſerved under him, and promiſed to conceal him. But, whether through the hope of the reward publiſhed for taking him, or the fear of being rigorouſly puniſhed if he did not diſcover him, it is certain, he delivered him to Leſley, who immediately ſent him to Edinburgh [b]. The parliament now having reſolved to try him themſelves; and as, ſince his degradation, he was called only James Graham, and was univerſally hated, no regard was paid to his birth. He was condemned to be hanged on a gallows thirty feet high; with this addition to his ſentence, that, after he was dead, his head ſhould be ſevered from his body, and ſet on Edinburgh talbooth; his arms and legs ſent to four ſeveral towns, to be expoſed as a ſpectacle, and his body buried under the gallows. He met death with extraordinary courage, and before his execution, made a ſpeech to the people, in which, far from owning himſelf worthy of death, he teſtified, on the contrary, an entire perſuaſion of the juſtice of the cauſe he had ſupported. He ſaid that Charles I. died a martyr, and aſſured the people, the new king would obſerve all his promiſes to the Scots, wherein he was as falſe a prophet as the lord Capel had been in England. Thus fell the marquis of Montroſe, who had rendered himſelf famous by his great actions for the late king in Scotland, but withal, odious to his countrymen, by his inhumanity to them, when he had the advantage.

Montroſe ſurpriſed, defeated, and taken priſoner. April 29. Clarendon, III. p. 272, 273.

Condemned to be hanged. May 20. Id. p. 274.

Makes a ſpeech before his execution. May 21. Id. p. 275. Phillips, p. 598. Heath.

The tragical death of the marquis of Montroſe diſappointed all the king's hopes, who was thereby deprived of his laſt refuge. He complained loudly to the commiſſioners of the

The king complains of his execution. Phillips, p. 599. Bates. Clarendon, III. p. 276.

a There were about three hundred ſlain, and five hundred taken priſoners. Whitelock, p. 454.

b Bates in his Elenchus Motuum aſſures us, that Aſton received two thouſand pounds, in reward of his treachery. Rapin.

1650. execution of that lord, during the negotiation, affirming it to be a breach of faith. He writ in the ſame ſtrain to the committee of eſtates, but was ſilenced by their anſwer, and told, it would be much better not to inſiſt upon that affair.

The anſwer of the ſtates.

The anſwer imported, that papers were found upon Montroſe, which it was more for his honour to conceal than to publiſh. The king eaſily underſtood, that by this was meant his commiſſion to the marquis after the news of his being proclaimed, and his letter of the 30th of January, after the time and place of conference were fixed. This juſtified the parliament of Scotland from breach of faith, of which he himſelf was not entirely guiltleſs.

The king ſigns the treaty. June.

The death of Montroſe leaving the king without refuge or retreat, he at laſt accepted the conditions preſented to him by the commiſſioners. Only the ſigning of the covenant was deferred till his arrival in Scotland, upon his promiſe however of compliance, in caſe it was judged proper to preſs him when he ſhould be at Edinburgh. The commiſſioners were willing to grant him this favour, knowing, the eſtates would never deſiſt from that article. It is certain, the king ſubmitted to theſe conditions only becauſe he had no other courſe to take, and it is, perhaps, no leſs certain, that he meant to obſerve them but whilſt he ſhould be forced. This plainly appears in the hiſtory of thoſe times, penned by the king's adherents. For they could not forbear to think it ſtrange that the king, when in Scotland, ſhould be obliged to a ſtrict obſervance of what he had promiſed by oath. As if his promiſe and oath had been only formalities, which were not to bind him.

He embarks in Holland for Scotland. June. Phillips.

When the king had ſigned the conditions, he went to Scheveling near the Hague, and embarked, being attended by duke Hamilton, the earl of Lautherdale, and ſome other Scots, who gave him hopes that his preſence in Scotland would remove all ſuſpicions, and that an exact obſervation of what he had promiſed would be diſpenſed with. But at his arrival, before he was ſuffered to land, the covenant was ſo preſſed upon him, that he could not avoid taking it. He had poſitively promiſed it at Breda, and no man durſt adviſe him to break his word. This ſtrictneſs of the eſtates convinced duke Hamilton and the earl of Lautherdale, that it was not ſafe for them to appear publickly in Scotland. Wherefore, finding means to land with the king, they retired to their own eſtates, or their friends, in expectation of a more favourable juncture.

Arrives there, June 16. and is obliged to ſign the covenant. Clarendon, III. p. 285. Hamilton and Lautherdale conceal themſelves.

The

The marquis of Argyle received the king with extraordinary reverence and outward marks of reſpect. But within two days, all his Engliſh domeſticks were removed, except the duke of Buckingham. Some were obliged to return into Holland, others withdrew at a diſtance from the court, to friends who were willing to entertain them. This rigour at firſt appears very ſtrange, and by ſome is ſo repreſented. But it muſt be conſidered, the Scots were for receiving the king on thoſe terms only, on which they would have admitted his father, had he happily eſcaped from captivity, and retired into Scotland. Certainly they would never have ſuffered about him, men whoſe principles and maxims were directly oppoſite to the intereſts of Scotland, and who were the kingdom's reputed enemies. Why then were they to repoſe more confidence in Charles II? Precaution was not more neceſſary under the laſt, than under the preſent reign. 1650. The manner of their king's reception. Id. p. 286. Burnet's Hiſt. p. 53. and Mem. Reaſons for it.

When the friends and confidents of the king were thus removed from his perſon, he ſaw himſelf in the hands of men whom he knew not, and whoſe principles were entirely different from thoſe in which he had been educated; ſo that he was extremely uneaſy, though outwardly he received all the reſpect due to his rank. What troubled him moſt, was the importunity of the miniſters, who thought it their duty to inſtruct him in the preſbyterian religion, and ſcrupled not to brand the hierarchy and worſhip of the church of England with the name of doctrine of devils. They pretended, the king's promiſe and oath to profeſs preſbyterianiſm obliged him to receive their inſtructions. His embaraſſment on this occaſion was a natural conſequence of the promiſe he had made, without intending to keep it. To be rid as well as he could of this trouble, he was preſent at their ſermons and prayers, but with ſo little attention, that it was plainly againſt his will [a]. The reluctance he ſhewed upon this article bred in the Scots a very ill opinion of him, being perſuaded, he had ſworn againſt his conſcience, and with an intention to break his promiſes when freed from reſtraint. It ought not therefore to ſeem ſtrange, that they had no confidence in him, and that thoſe who were at the helm, imparted not to him all the affairs. He was not conſidered as a prince attached to the intereſts and religion of the kingdom, but as intending to eſtabliſh other maxims if it was in his power. The king under great difficulties in Scotland. Clarendon, III. p. 286. Bates. Burnet, t. I. p. 53. He diſcovers his diſpoſition with regard to religion, and loſes the confidence of the Scots.

[a] Biſhop Burnet ſays, that in one faſt-day there were ſix ſermons preached before the king without intermiſſion: —— And adds, the great rigour the kirk uſed towards him, contributed not a little to beget in him an averſion to all ſorts of ſtrictneſs in religion. Tom. I. p. 53.

1650. But if the tranſactions of ſome years paſt, and the occaſion of the troubles, be conſidered, it will not be thought ſo ſtrange, that the Scots took precautions with regard to their new king, and refuſed him a confidence, which in that juncture, appeared to them very dangerous.

Aims to re-eſtabliſh the Hamiltonians. Clarendon, III. p. 306, 307.

It was quickly perceived how neceſſary theſe precautions were, by the king's endeavours to reconcile to the ſtate and the church, thoſe who had entered into the late duke Hamilton's engagement to raiſe an army, which under colour of acting againſt the independents, was deſigned to reſtore the late king to the throne of England without any condition. The authors of that deſign had thereby plunged Scotland into a war not only unneceſſary, but directly contrary to her intereſts. Beſides, their ill conduct had occaſioned the loſs of a numerous army, and a great effuſion of blood. What might not the Scots have added in aggravation of the crimes of the Hamiltonians, had they known the ſecret treaty made with the late king in the Iſle of Wight, ſo contrary to the covenant of both kingdoms? It is not therefore ſtrange, that men who had acted with views ſo oppoſite to the intereſts of the kingdom, or at leaſt of the prevailing party, were regarded by that party as enemies of the ſtate and religion. And yet theſe were the men for whom the king laboured ſo ſtrenuouſly, under the pretence of procuring a happy union amongſt his ſubjects. But at the ſame time he clearly diſcovered his averſion to the maxims by which Scotland was then governed, and his intention to enable his friends to oppoſe the marquis of Argyle, who was the head of the contrary faction and of the government. That lord eaſily fathomed the king's deſign. And therefore, whereas he had hitherto conſtantly attended him, he gradually withdrew himſelf from him, as from a ſecret enemy who only waited an occaſion to ruin him.

Argyle diſtruſts the king. Clarendon, III. p. 287.

Reſolution of the Engliſh parliament againſt Scotland. Id. p. 292. Phillips. Whitelock, p. 460.

While theſe things paſſed in Scotland, the parliament of England were not idle. When they learned that commiſſioners from Scotland were to confer with the king at Breda, they imagined, Charles would accept the crown of Scotland on any terms, in order to uſe the forces of that kingdom to invade England, in which they were not miſtaken. This war, which the parliament deemed unavoidable, could not but be very dangerous to the independent party, if it was brought into England. The independents, though uppermoſt, had no ſupport but the army, with the preſbyterians, the royaliſts and the city of London for their enemies. It was therefore very likely, that if the king entered England with

with a Scotch army, he would be joined by the royaliſts, and 1650.
n[illegible]oured by the preſbyterians. To prevent therefore this
tw[illegible]ger, the parliament reſolved to carry war into Scotland.
This reſolution was founded entirely upon policy, foraſmuch as the parliament had no cauſe to complain of the Scots, who in recognizing for their ſovereign, the eldeſt ſon of their late king, did not injure England. Nay, it was a conſequence of the covenant between the two kingdoms, though manifeſtly violated by the Engliſh parliament. But on this occaſion, the parliament believed themſelves not bound to a ſcrupulous obſervance of the rules of equity, for fear of the prejudice with which ſuch ſcruples might in time be attended. Intereſt therefore was ſolely regarded, which required, that the war ſhould rather be carried into Scotland than expected in England.

Cromwell recalled from Ireland.

After this reſolution, Cromwell was haſtily recalled out of Ireland to take the command of the army which was to act againſt Scotland. In the late Scotch invaſion under duke Hamilton, the behaviour of general Fairfax had given occaſion to judge, that he would unwillingly accept of the conduct of the new war, which was really the caſe. Cromwell's ſucceſs in Ireland had been ſuch as the parliament could have wiſhed. After the taking of Drogheda, he ſeized Kilkenny and many other places, and in a little time reduced the greateſt part of the iſland to the obedience of the parliament. The marquis of Ormond was little capable of reſiſting him, becauſe of the diviſion ſtill reigning amongſt the Iriſh. This diviſion went ſo far, that O Neale had at laſt concluded a treaty with Monk, one of the parliament generals, commiſſioned by the council of ſtate. But the parliament refuſed to ratify the treaty as being too favourable to the catholicks, and therefore O Neale had begun to treat with the marquis of Ormond, and was upon the point of joining him, when his death prevented the execution of his deſign. His troops diſperſing upon his death, were of no advantage to the marquis of Ormond. In the mean time, Cromwell continued his conqueſts with ſurpriſing rapidity, and to prevent the agreement and junction of the Iriſh amongſt themſelves, he thought of an expedient which ſucceeded. He publiſhed by proclamation a permiſſion to all the Iriſh officers to liſt, in the ſervice of foreign princes, what ſoldiers they pleaſed of their own nation, with a promiſe to give them no diſturbance or moleſtation. More than twenty five thouſand immediately choſe to ſerve France and Spain,

Whitelock, p. 450. Clarendon, III. p. 292. Ludlow.

His conqueſts in Ireland. Clarendon, III. p. 276, 277.

Diviſion amongſt the Iriſh. Bates.

Clarendon, III. p. 334.

The death of O Neale the Iriſh rebel.

Cromwell permits the Iriſh to ſerve foreign princes. Clarendon, III. p. 278, 279, 280.

1650. Spain, and afterwards a much greater number [d]. This precaution prevented the marquis of Ormond from bringing an army into the field capable to reſiſt that of the parliament. So, when Cromwell was recalled, the Iriſh affairs were in good condition, that his ſon-in-law Ireton, whom he left there as his lieutenant, had but little to do.

He leaves Ireton in command of Ireland. June 4. Bates. Clarendon, III. p. 292, 333. Whitelock, P. 457.

Cromwell being returned to London, took his ſeat in the parliament, where, by order of the houſe, the ſpeaker thanked him for his late ſervices. After that, the Scotch war being the moſt preſſing affair, the parliament cauſed Fairfax to be aſked, whether he would take upon him the conduct of the war? He replied, if the Scots entered England with an army, he would endeavour to repel them; but deſired to be excuſed from attacking them in their own country. Some endeavours were uſed to convince him of the juſtice and neceſſity of the war, but without any ſucceſs. Cromwell acted his part ſo well, that though he paſſionately wiſhed to be commander in chief, he gave his opinion in favour of Fairfax, and pretended he ſhould be well ſatisfied to ſerve as his lieutenant. Fairfax perceived that being a preſbyterian (though he had but too faithfully ſerved the independents) the parliament would have had no great confidence in him, and that the zeal ſhewn on his behalf was only ceremony. He therefore ſent his commiſſion to the houſe, which was chearfully received, and an annual penſion of five thouſand pounds was ſettled on him in acknowledgment of his ſervices. Immediately Cromwell was declared general of the armies of the commonwealth, and his commiſſion preſently diſpatched [e].

Clarendon, III. p. 292. Ludlow. Fairfax reſigns the generalſhip, and is ſucceeded by Cromwell. June 26. Ludlow. Whitelock, p. 462.

While the army, which was to act againſt Scotland, was raiſing, the parliament appointed a committee to draw up a manifeſto, concerning the intended war. This precaution

The parliament's manifeſto. Id. p. 464. Phillips. Bates.

[d] The lord Clarendon obſerves, that Cromwell found a way to ſend above forty thouſand men out of that kingdom, for the ſervice of foreign princes; when the marquis of Ormond, notwithſtanding all the promiſes, obligations, and contracts of the Iriſh with him, could not draw together a body of five thouſand. Tom. III. p. 280.

[e] Whitelock ſays, the lord Fairfax being adviſed with, ſeemed at firſt to like well of carrying the war into Scotland, but afterwards, being hourly perſuaded by the preſbyterian miniſters, and his own lady, who was a great patroneſs of them, he declared it was againſt his conſcience. Whereupon the council of ſtate appointed Cromwell, Lambert, Harriſon, St. John, and Whitelock, to confer with Fairfax, and endeavour to ſatisfy him of the juſtice of the undertaking. Whitelock gives us the conference at length in his memorials; wherein, though Cromwell and the reſt of the ſoldiers were very earneſt with him not to lay down his commiſſion; yet, ſays Whitelock, there was cauſe to believe, they did not much deſire he ſhould continue. Mem. p. 460—462.

appeared

appeared the more neceſſary, as the houſe was not ignorant, 1650.
that the cavaliers and preſbyterians would induſtriouſly repreſent this war, as the moſt unjuſt that ever was, ſince the Scots had given no provocation. The committee employed about the manifeſto, being unwilling to publiſh the true reaſon of the war, namely, to ſupport the independents, contented themſelves with ſuppoſing, that the Scots deſigned to force the Engliſh to acknowledge king Charles II. though hitherto they had not moved one ſtep towards it. It was nevertheleſs, very likely the king would attempt to engage them in a rupture with the Engliſh parliament; but there was no probability of ſucceſs, conſidering his manifeſt averſion to become a good preſbyterian.

The Scots hearing of the preparations againſt them in England, raiſed an army with all poſſible diligence [f], and gave the command to general Leſley, not daring to truſt the king for the reaſons above-mentioned. He was even ſuffered to ſee the army but once, for fear of gaining the officers and ſoldiers by his intrigues. David Leſley formed his camp between Leith and Edinburgh, and fortified it with ſuch intrenchments, that he was not to be attacked without manifeſt danger.

The Scots raiſe an army under Leſley. Clarendon, III. p. 292, 293. Phillips. Whitelock.

About the middle of July, Cromwell put himſelf at the head of the Engliſh army, conſiſting of eighteen or nineteen thouſand men, and marched to the frontiers of Scotland, where he publiſhed his manifeſto. As the enemy's army lay encamped near Edinburgh, he entered Scotland without any difficulty. But he found the country deſtitute of inhabitants, and every thing capable to ſubſiſt his army conveyed away; ſo that he was obliged to maintain it with ſupplies from his fleet. He advanced, however, and came in ſight of the enemy's army; but found it too well intrenched to be attacked. He choſe therefore to retire towards Muſſelborough, whereupon Leſley detached a large body of horſe, which fell upon the Engliſh rear, commanded by Lambert, with ſome advantage [g]. The day after, there was a ſharp ſkirmiſh, in which the Scots beat ſome Engliſh regiments; but at laſt were repulſed to their camp with conſiderable loſs. Then, Cromwell once more attempted, by

Cromwell enters Scotland. July 22. Whitelock. Clarendon, III. p. 293. Phillips. Skirmiſhes between the armies. Auguſt. Phillips. Whitelock.

[f] Conſiſting of ſix thouſand horſe, and fifteen thouſand foot. Phillips, p. 600. Thirty ſix thouſand men in all, ſays Whitelock, p. 466.

[g] Auguſt 26. In a ſkirmiſh, one of the Scots fired a carabine at Cromwell; upon which Cromwell called out to him, and ſaid, "If he had "been one of his ſoldiers, he would "have caſhiered him for firing at "ſuch a diſtance." Whitelock, p. 469.

his

1650. his approach, to draw the Scotch army out of their intrenchments, but his endeavours were fruitleſs. At laſt, after the two armies had remained almoſt in ſight ſeveral weeks, Cromwell, for want of proviſion and forage, was forced to retire. His deſign was to embark his foot, and return into England with only his horſe. To execute this reſolution, he marched towards Dunbar, where his fleet expected him, his army being much diminiſhed, and reduced to about twelve thouſand men.

Ludlow.

He marches to Dunbar. Clarendon, III. p. 293.

The Scotch army purſues him. Septemb. 1. Whitelock.

The Scots, advertiſed of Cromwell's reſolution, imagined the Engliſh were ſeized with terror, and that a more favorable opportunity could not offer, to fight them, and therefore they left their camp to follow them cloſely. The firſt day, they encamped upon a hill, about a mile from Dunbar, ſo that it was impoſſible for Cromwell to embark his foot, without expoſing himſelf to the danger of a defeat. General Leſley was not for attacking the Engliſh, but only for watching an opportunity to engage them with advantage. But the clamours of the miniſters who were in his army, and promiſed a certain victory, as if by ſome revelation [h], obliged him the next day to draw nearer to the enemy. Cromwell, who obſerved them with a perſpective glaſs, ſeeing them deſcend the hill, cried out, "that God had de-"livered them into his hands." He immediately went to prayers, and then told ſome of his officers, that he had felt, in praying, ſuch a repoſe in his mind, that he doubted not but God would give him the victory. Perhaps this was his real belief, or elſe an artifice to inſpire his ſoldiers with courage, who were moſt of them fanaticks. The two armies remained in ſight all the reſt of the day, Leſley ſtill alledging ſome excuſe to delay fighting. But in the night, Cromwell reſolved to attack the Scots at break of day. It was his frequent and ever ſucceſsful maxim, not to expect, but attack the enemy, without any regard to number, being perſuaded, the aſſailants have always a great advantage.

Clarendon, III. p. 293. Whitelock. p. 471. Burnet. p. 54.

Battle of Dunbar. Septemb. 3. Whitelock, p. 470. Clarendon, III. p. 293. Phillips. Bates. Ludlow.

This reſolution being taken, he drew up his army in the night, and, not to be prevented, begun the fight an hour before day. The Scotch cavalry on the right wing behaved well at firſt, but were at laſt put to flight. The left wing fled, without charging once. Three regiments of Scotch infantry fought with ſuch bravery, that they were almoſt all

[h] Auguſt 26. Cromwell ſent word in a letter, that the Scotch miniſters in their prayers ſaid, "that if God will "not deliver them from the ſectaries, "he ſhall not be their God." Whitelock, p. 465.

ſlain

ſlain on the ſpot, without offering to fly. The reſt ſeeing themſelves deſerted by the horſe, fled in confuſion, leaving the field, and an undoubted victory to the Engliſh. It is ſaid, the Scots loſt three thouſand men [i], beſides ſeven or eight thouſand priſoners, with twenty ſeven pieces of cannon; and that the Engliſh loſt but three hundred. The Scots after their defeat, abandoned Leith and Edinburgh, of which Cromwell made himſelf maſter, but the Caſtle of Edinburgh held out till the end of December. 1650. The Scotch army defeated.

This misfortune to the Scots was advantageous to the king, as it obliged them to alter their behaviour to the Hamiltonians. When the army lately defeated at Dunbar was raiſed, great care was taken not to admit any who had been concerned in the engagement of the late duke Hamilton, or were ſuſpected to be of the king's party. In a word, the rigid preſbyterians, who were then at the head of affairs, would have no ſociety with thoſe whom they called the luke-warm, that is, men who were not ſufficiently zealous for the covenant. After the defeat at Dunbar, a new army was to be raiſed, to oppoſe Cromwell, who threatened Scotland with entire ruin the next ſpring. The parliament was therefore convened at St. Johnſtoun's, where the king had retired [k]. But as a new army was not eaſily to be formed of the zealous, it was propoſed in parliament, to receive into this, thoſe who had hitherto been called luke-warm, and who offered their ſervice to their country in its preſent diſtreſs. This affair being debated, the parliament was forced to reſolve, that all who had been excluded from places, ſhould be allowed to produce proofs of their repentance, and then be employed in the ſervice of their country. In conſequence of this reſolution, thoſe who had till then oppoſed the marquis of Argyle, who had wanted zeal for the covenant, who had ſhewn an inclination for the king, who had ever been employed by Charles I. readily gave outward marks of their repentance, in a diſavowal of their paſt conduct, and a reconciliation with the kirk. After that they were admitted, as well into the parliament as to publick employs, and eſpecially to poſts in the army to be

The Hamiltonians admitted to employs under conditions. Clarendon, III. p. 292, 294. Phillips. Bates. Whitelock, Burnet. P. 55.

[i] Between five and ſix thouſand, ſays the lord Clarendon, tom. III. p. 294.—In Whitelock, it is ſaid, there were four thouſand killed in the field, and in the purſuit. The Engliſh army conſiſted of twelve thouſand, and the Scottiſh of twenty ſeven thouſand men. Mem. p. 470.

[k] In this parliament, the king made a ſpeech, on January 25, expreſſing much joy, "that he was the firſt co-"venanted king of the nation." Whitelock, p. 485.

raiſed.

1650. raiſed. Hence the king at laſt obtained, what he had ſo paſſionately deſired, namely, to ſee thoſe who were attached to his intereſts, in a condition to ſerve him, when occaſion ſhould offer.

A proteſtation againſt their admiſſion. Phillips. Burnet's Hiſt. P. 55.

But the reſolution of the parliament, of which neceſſity had been either the motive or the pretence, was not agreeable to all. The zealots could not bear the admiſſion of malignants (as they called them) to employments, under colour of a reſolution obtained from the parliament by intrigue and cabal, in the ſame manner as the levying an army had before been obtained, to ſerve againſt the intereſts of Scotland. They ſaid, it was mocking God, to receive the guilty to a hypocritical repentance, in order to re-admit them to employs, from which they had been juſtly excluded. But it was anſwered, it was ſtrange cruelty to remove from employs, men who offered their ſervice to their country, at ſo critical a juncture, and had profeſſed a repentance, for not having been ſufficiently zealous for the common cauſe. In a word, the firſt proteſted ſolemnly againſt the reſolution of the parliament, and formed a party called the proteſtors, whilſt thoſe who adhered to it formed another, called the reſolutioners. Five weſtern counties [1] joined the proteſtors, and entering into an aſſociation, publiſhed a remonſtrance, which being offered to the parliament, was voted ſeditious. But this did not hinder ſeveral officers of reputation, as Straughan, Kerr, and ſome others, from adhering to the party of the proteſtors.

Two parties formed in Scotland.

Five counties proteſt.

Reflections upon the reſolution of admitting the Hamiltonians. Clarendon. III. p. 308.

It is certain, if the people of Scotland had been conſulted, this reſolution had never paſſed in the parliament. The people were ſo attached to the covenant, that there was no likelihood of their departing from their rigidneſs at once, in favour of perſons who had not ſubſcribed it, or ſcrupled to violate it. It is therefore very probable, this reſolution was owing to the artifices and cabals of the enemies of Argyle, on pretence of the neceſſity of raiſing new forces. Nothing is a clearer evidence of its being contrary to the general ſenſe of the people, than the condition of profeſſing a repentance, required of all who were to be admitted to any employs. This ſhows a condeſcenſion for the people, who were perſuaded, that a luke-warmneſs for the covenant, was the moſt heinous of crimes. Accordingly, it was publickly ſaid, that the defeat at Dunbar was the juſt puniſhment of

Phillips. p. 601. Bates.

[1] Cliddiſdale, Renfrew, Air, Galloway, and Nithiſdale. Burnet's Hiſt. p. 56.

having

having called in the king, before any proofs were given of his repentance. This was the moſt general ſentiment, though the parliament had decided the contrary. But neither in Scotland nor England are the reſolutions of parliament to be always conſidered, as the ſenſe of the nation. It is a defect in the conſtitution of both the ſtates, that the members of parliament receive no inſtructions from their electors. The moment they are met, they become maſters and ſovereigns of thoſe by whom they are choſen, and palm upon the nation their own deciſions for thoſe of the publick, though they are often contrary to the ſentiments and intereſts of the people repreſented. Inſtances are ſo frequent, that I need not ſtay to prove what I advance. 1650.

The managers of this affair in the parliament, knew, that the party of the proteſtors was much more numerous than that of the reſolutioners. Wherefore, it was thought convenient to give an appearance of ſatisfaction to the former, to prevent their obſtructing the deſigns formed in favour of the king. Their project was, to put the king at the head of an army, almoſt wholly at his devotion, that he might, upon occaſion, march into England, where it was not doubted, he would find many friends, and a powerful aſſiſtance. The rigid preſbyterians were therefore not to be alarmed at ſeeing the king in the head of the army, for fear of their concerting meaſures to hinder the execution of the project. For this purpoſe it was thought proper, that the king ſhould publiſh a declaration of a ſtrange nature, where he was made to ſpeak a language agreeable to the ſentiments of the people, but very contrary to his own. In the declaration, "he owned the ſin of his father, in marrying "into an idolatrous family: he acknowledged, the blood- "ſhed in the late wars lay at his father's door: he expreſſed "a deep ſenſe of his own ill education, and the prejudices "he had drank in againſt the cauſe of God, of which he "was, now very ſenſible: he confeſſed all the former parts "of his life to have been a courſe of enmity to the work "of God: he repented of his commiſſion to Montroſe, "and of every thing he had done that gave offence: and "with ſolemn proteſtations he affirmed, that he was now "ſincere in his declaration, and that he would adhere to it "to the end of his life, in Scotland, England, and Ireland." When this declaration was offered him to ſign, he appeared at firſt bent to reject it; ſaying, "that if he paſſed it, he "could never look his mother in the face." But upon a repreſentation of its abſolute neceſſity to gain the confidence

The king's ſtrange declaration. Burnet's Hiſt. p. 56.

of

1650. of the proteſtors, without which he could never execute his deſigns, he ſwallowed the bitter pill, and the declaration was publiſhed.

Diſappointed in his expectations from it. Burnet.

This declaration procured not all the advantage the king was made to expect. No man could believe he had voluntarily ſigned a paper ſo ſcandalous, and ſo prejudicial to the memory of his father. The proteſtors, on the contrary, imagining, he concealed ſome deep deſign in this ſtrange proceeding, united ſtill more cloſely againſt him, and at laſt declared, they would have no communication with the reſolutioners, nor with Cromwell and the independent party in England.

The king's flight. Clarendon, III. p. 307. Burnet, p. 57, Phillips, p. 601. Bates.

Charles was extremely troubled, to ſee that his declaration produced no other effect, than the loſs of the confidence of both parties, and of his own reputation. It was univerſally believed, ſo ſcandalous a diſſimulation was intended to deceive the people. At laſt, this falſe ſtep, taken ſo contrary to his own opinion, joined to the ſad life he had led, made him liſten to propoſitions offered by ſome of his friends in the highlands [m], who would receive no employs at the price of an hypocritical repentance. Theſe gentlemen ſent a meſſage to him, that if he would come and head them, they would ſend to a place appointed, a good body of troops to receive him. Dr. Frazier, Charles's phyſician, was the conductor of this intrigue, and took care to convey the letters. The king therefore conſented to join the malecontents, being extremely deſirous to withdraw from the preſbyterians, who had put ſo many hardſhips upon him. He had prepared a declaration, ſhewing the ill treatment he had received from the marquis of Argyle, and the cruel ſervitude in which he had been held ſince his arrival in Scotland. The duke of Buckingham, having diſcovered this ſecret, by letters left upon the king's table, informed the marquis of Argyle, who would not believe the execution of the project was ſo near. Nevertheleſs two days after, the king withdrawing from St. Johnſtoun, repaired to the place appointed, where he found only a very inconſiderable body, inſtead of the good number of troops he had been promiſed. But while he was deliberating what to do, the committee of eſtates diſpatched major-general Montgomery to him, who very rudely preſſed his return to St. Johnſtoun, to which he at laſt conſented, believing, doubtleſs,

Phillips, p. 602. Burnet. Bates. Is brought back,

[m] The marquis of Huntley, the earls of Athol, and Seaforth, the lords Ogleby, Gordon, and Middletoun, &c. Bates, p. 111.

that

that thoſe who had wiſhed him among them, were not in ſo good a condition to receive him, as they had made him believe [n]. 1650.

This deſign, however imprudent, produced a good effect for the king, though withal, it loſt him the confidence of the preſbyterians, who ſaw plainly, his heart was not with them, and that he little regarded his promiſes at Breda. Mean while, the marquis of Argyle, and the committee of eſtates perceived, a too great rigour might throw the king upon deſperate reſolutions, and, in the preſent juncture, great diſorders might happen, if the king ſhould deſire to head the malecontents. This procured him better treatment, and a larger ſhare in the publick affairs. The king, on his part, ſaw alſo, he ſhould never be eaſy in Scotland, or able to execute his deſigns, without the aſſiſtance of Argyle, who was at the head of the kirk party. He therefore courted him extremely, making him great offers, and even talking of marrying his daughter. But the marquis, knowing his ſentiments, looked upon theſe offers as ſo many ſnares, and was upon his guard, though he outwardly paid the king all due reſpect. The lord Lorn his ſon, captain of the king's guards, did him many ſervices, and privately brought to him thoſe perſons, whoſe company he deſired [o].

and better treated. Phillips. Burnet. Clarendon, III. p. 307.

He careſſes Argyle. Id. p. 308. Burnet, p. 57.

At laſt, the king was crowned at Scone, the firſt of January 1650-1 [p], and from that day all perſons had acceſs to him. After this, the Scots were wholly intent upon raiſing an army, into which all who deſired it were received with- 1650-1.

The king crowned in Scotland. Burnet, p. 57.

[n] This ſudden withdrawing of the king's, was afterwards called, the Start. Clarendon, tom. III. p. 307.

[o] In the courſe of this year, (on March 25.) died John Williams, archbiſhop of York, formerly lord-keeper; and the learned antiquarian ſir Simonds D'owes. As alſo, October 27, William prince of Orange, father of the late king William III.—This year, the Engliſh merchants were commanded by the Czar of Muſcovy, to depart his dominions, and not come thither, unleſs in the king's name, and by his patents; and this was fomented by the Dutch.—Five drunkards in Berkſhire agreed to drink the king's health in their blood, and that each ſhould cut off a piece of his buttock, and fry it, which four of them did; but the wife of the fifth coming into the room, and, taking up a pair of tongs, laid about her ſo, that ſhe ſaved the cutting her huſband's fleſh.—May 14. The act for ſuppreſſing inceſt, adultery, and fornication being paſſed, Henry Martin declared his opinion, "that the ſeverity of the puniſhment being death, would cauſe theſe ſins to be more cautiouſly committed, and ſo being undiſcovered, would be more frequent."—July 2. An act paſſed for preventing and ſuppreſſing curſing and ſwearing; whereby it was enjoined, that (for the firſt offence) a lord ſhould pay 30 s. a baronet and knight 20 s. an eſquire 10 s. a gentleman 6 s. 8 d. every other perſon 3 s. 4 d. And double for the ſecond offence, and ſo to the tenth. Then to be bound to his good behaviour. Whitelock, p. 427, 453, 455, 462.

[p] And then he renewed again the covenant. Burnet, p. 57.

1651. out distinction of party. The army was ready the beginning of June, before Cromwell could take the field for want of forage. It consisted of fifteen thousand foot, and three thousand horse, which the king headed himself with David Lesley for his lieutenant general [q]. As they were mostly new-raised troops, the king judged it not proper to go in quest of Cromwell, who was formidable for his courage and experience, and was besides at the head of a disciplined and victorious army. He posted himself therefore very advantageously at Torwood, between Edinburgh and Sterling, having behind him [r] a large and deep river, of which the passes were all secured, and by that means he received provisions out of the plentiful county of Fife, whereas the country before him was entirely laid waste. The army in the front was so strongly intrenched, that it would have been rashness to attack it. Here he resolved to wait the enemy's motions, and take his measures accordingly.

Clarendon, III. p. 308. Phillips. Puts himself at the head of the Scotch army, Clarendon, Id. p. 328. and incamps at Torwood. Phillips. p. 605. Bates.

Cromwell, having assembled his army, marched directly to the king with design to give him battle, but found him so strongly intrenched, that he did not think fit to attack him. The armies remained in their respective camps about six weeks, all Cromwell's artifices to draw the king out of his intrenchments, proving ineffectual. The last year's experience had taught the Scots greater circumspection. At last, Cromwell, unable any longer to stay in his camp by reason of the difficulty of getting provisions, whilst the county of Fife plentifully supplied the king, resolved to deprive the king of that advantage. For he saw plainly, it was in the king's power to avoid fighting as long as he pleased, and oblige him to spend the whole campaign in a state of inaction.

Cromwell dares not attack him. July 3. Phillips. Whitelock, p. 498. Clarendon, III. p. 399,

Wherefore he detached sixteen hundred men under colonel Overton, who marched towards Edinburgh to a place provided with boats, and passing the Frith, took his post in the county of Fife [s]. Overton was immediately followed by Lambert with a more considerable body. At the same time, Cromwell with the rest of the army, advanced towards the king's intrenchments as if he intended to attack

Cromwell enters Fife. Phillips. Bates. Warwick. Whitelock. p. 500, 501.

[q] Duke Hamilton was lieutenant-general, David Lesley major-general; Middletoun lieutenant-general of the horse, and Massey major-general of the English, Whitelock, p. 486.

[r] The lord Clarendon says, the river was between the two armies, but it is a mistake; for the king had the river behind him. Rapin.

[s] That pass was defended by major-general Brown, with a body of four thousand men. Clarendon, tom. III. p. 309.

them, in order to prevent any detachment from the king's army to oppoſe the landing of his forces. As ſoon as the king was informed that the Engliſh were in Fife, he detached major general Brown with four thouſand men to fight them. Brown was routed, and Cromwell thereby free to tranſport his whole army into Fife. By this means he deprived the king of any farther ſupplies from that country. 1651.

A detachment from the king routed.

It was indeed an advantage to Cromwell to put the king under a neceſſity of quitting a poſt where he could not be attacked. But withal, he had made it impoſſible to fight him, becauſe there was a deep river between the armies which joins the lake of Lomund to Edinburgh-Frith. The king might have paſſed the river becauſe he was maſter of all the paſſes, but it was not thought proper to purſue Cromwell, who was now at a diſtance, having taken St. Johnſtoun, and threatened Sterling. On the contrary, the king ſuddenly reſolved to march into England, ſince he had no oppoſition before him, being pleaſed, that Cromwell had given him opportunity to form and execute a deſign ſo agreeable to his intereſt. He ſaw himſelf at the head of eighteen thouſand men, and doubted not that his army would be greatly increaſed in England, by the junction of the royaliſts and preſbyterians equally oppreſſed by an independent parliament. This was the idea the king and his council formed of this expedition. The marquis of Argyle was alone of the contrary opinion, and ſo far incurred the ſuſpicion of diſloyalty, that the king was adviſed to put him under arreſt. But it was not thought proper to follow this advice, from which no advantage could be reaped. The marquis therefore was left in Scotland, and the king began his march to Carliſle with extraordinary diligence. He had now marched ſome days [t] before Cromwell heard of it, and entered England the ſixth of Auguſt, where he was proclaimed by his army.

Id. p. 499. Ludlow. Bates.

Cromwell makes himſelf maſter of St. Johnſtoun. Bates. Phillips. Whitelock. p. 501.

The king marches into England. July 31. Clarendon, III. p. 309. Bates. Whitelock.

The news of the king's march greatly ſurprized Cromwell who never expected it. He believed, he had gained a conſiderable advantage in forcing his way into Fife, but this had given the king opportunity to march into England, where, very likely, he would be joined by a great number of adherents. The avoiding of this, was the ſole aim of the parliament in carrying the war into Scotland. It may therefore be ſaid, that Cromwell was guilty of an error, which might have been attended with very ill conſequences to the new

Cromwell diſturbed at the news of the king's march. Clarendon, III. p. 310.

[t] Only a whole day, ſays lord Clarendon, tom. 3. p. 309.

1651. modelled commonwealth, and the governing party. Accordingly, his greateſt care was to prevent the miſchiefs that might follow. As he doubted not, the parliament would be alarmed at the news of the king's march, he ſpeedily informed them of it, and withal, of his intention cloſely to purſue him. He adviſed them alſo to put the militia in arms in all the counties of the kingdom, with all poſſible diligence, to keep the king's party in awe, and prevent their joining his army. He gave himſelf the ſame orders in the northern counties, as well to hinder the cavaliers from riſing, as to find ſeveral bodies of the trained bands ready to reinforce his army on his arrival in England. At the ſame time he detached major general Harriſon with three thouſand horſe, which were to be followed by Lambert at the head of another body of cavalry, to retard the king's march as much as was poſſible. After theſe precautions, he left major general Monk in Scotland with five thouſand men, with orders to endeavour to make himſelf maſter of Sterling and Dundee. At laſt, he put himſelf upon the march, three days after the king's departure making all poſſible haſte to reach the king before he ſhould arrive at London, not queſtioning but he would march thither without halting.

Precautions and orders of Cromwell. Ibid. Whitelock.

Phillips. Bates.

The king receives but little relief from England. Clarendon, III. p. 309, 311.

The king entered England full of hopes that all the enemies of the independents, as well preſbyterians as royaliſts, would eagerly join him. For that purpoſe he ſent colonel Maſſey before with a detachment to receive all who were willing to ſerve him [u]. He writ likewiſe to the earl of Derby, then in the iſle of Man [w], to repair to him, greatly relying on his credit in Lancaſhire. But many things conſpired to diſconcert his projects. 1. As he advanced, the Scotch ſoldiers deſerted in ſuch numbers, that it was computed four or five thouſand returned to Scotland. Theſe deſerters were probably the zealous preſbyterians, who believed, they could not in conſcience aſſiſt the king in the recovery of England by force of arms, which was the opinion of moſt of the Scots. 2. The militia, every where in arms, hindered the king's friends from aſſembling, by guards placed on all the publick roads. 3. The committee of the kirk, which had followed the army, feared, if the king's forces were augmented with too great a number of royaliſts, their ſuperiority might oblige the Scotch army not only to aſſiſt in the ruin of the independents, but moreover in the reſtora-

Phillips, p. 606.

Clarendon, III. p. 311.

[u] Captain Cecil Howard, ſon of the lord Howard of Eſerick, brought him a troop of horſe. Phillips, p. 606.

[w] Where he had ſecurely repoſed himſelf ſince the end of the former war. Clarendon, tom. III. p. 309.

tion

tion of the king without any conditions, which was directly contrary to the intereſts of Scotland. In this belief the committee ſent Maſſey a declaration, with orders to publiſh it, ſignifying, that the king being zealous for the covenant, no perſons were to be received into his army who refuſed to ſign it. This was done without the king's privity, who was extremely troubled at the news. He even forbid Maſſey to publiſh the declaration. But the import of it being now every where ſpread, the king's friends thought proper to conceal themſelves, not daring to mix with the Scotch army, becauſe they could not reſolve to take the covenant. 4. The Engliſh preſbyterians were indeed enemies to the independents; but not ſuch friends of the king, as to reſtore him to the throne without a previous aſſurance of his ratifying the conceſſions made by the king his father at the treaty of Newport. But this not being a proper ſeaſon to enter into ſuch a negotiation, they did not appear very eager to ſerve him. 5. The earl of Derby, who had been ſent by the king into Lancaſhire, and had there raiſed twelve hundred men, was defeated by colonel Lilburn at the head of ten troops of Horſe brought from York to join Cromwell. It was with great difficulty that the earl eſcaped to the king after the loſs of his forces, the lord Widdrington and ſir Thomas Tildeſly being left dead upon the ſpot. This defeat much diſcouraged the king's friends of thoſe parts, who intended to repair to his army.

1651.

Ibid.

The earl of Derby defeated. Aug. 25. Phillips. p. 607. Clarendon. III. p. 314. Whitelock, p. 504. Ludlow.

At laſt, after a very fatiguing march, the king arrived at Worceſter, where he was honourably received by the magiſtrates, and ſolemnly proclaimed. He reſolved to refreſh his weary troops in the neighbourhood of that city, as they were not able to continue their march without ſome repoſe. Probably his deſign was to have marched directly to London, if his army, according to his expectation, had been conſiderably ſtrengthened on their rout. But on the contrary he ſaw it ſo diminiſhed by deſertion, as to be reduced to twelve or thirteen thouſand men, without any hopes of its being augmented for the forementioned reaſons. It is, therefore likely, he durſt not farther advance, and thought the ground about Worceſter proper for defence in caſe of an attack.

The king ſtops at Worceſter. Aug. 22. Clarendon, III. p. 313, 316. Ludlow.

Whilſt the king's army refreſhed themſelves at Worceſter, Cromwell was advancing with ſpeed. His orders for aſſembling the forces and militia of the north were ſo well obeyed, that on his arrival in England, his army was daily increaſed by parties from all quarters. By this means, after his junc-

Cromwell arrives at Worceſter. Sept. 1. Clarendon, III. p. 318. Phillips.

1651. tion with Lambert and Harriſon, he found his army much ſuperior to the king's, which lay encamped about a mile from Worceſter, with a reſolution to ſtand upon the defence. Cromwell before he attacked the king's army, thought proper to make a diverſion on the other ſide the Severn, For that purpoſe he detached Lambert, who marched directly to Upton, where was a bridge guarded by Maſſey. This paſſage was ſo vigorouſly attacked, that after a ſharp engagement, Maſſey was obliged to abandon it. Immediately after, Cromwell ordered part of his army to go over to the weſtern ſide of the Severn, which forced the king to ſend ſome of his forces the ſame way, and ſo to weaken that part of his army which was to ſuſtain Cromwell's attack.

Phillips. Clarendon, III. p. 317. Whitelock.

Gains a paſſage over the Severn.

Battle of Worceſter. Sept. 3. Clarendon, III. p. 318. Whitelock, p. 507. The king's army defeated. Phillips. Ludlow.

The 3d of September, a day fortunate to Cromwell by the defeat of the Scots at Dunbar the year before, he charged the royal army on both ſides the Severn. After an engagement of ſome hours the king's forces were repulſed on both ſides the river, and forced to retire into the town in ſuch confuſion, that the entrance was forgot to be defended. The king's ſollicitations were fruitleſs, to inſpire his now vanquiſhed troops with reſolution to reſiſt any longer the conqueror. At laſt, his cavalry ſeeing the enemy breaking into the town, fled, and left the infantry to the mercy of the Engliſh. The king himſelf was forced to fly through St. Martin's gate, and with great difficulty avoided falling into the enemy's hands. The foot were almoſt entirely killed or taken; and the horſe being warmly purſued, were eaſily diſperſed; ſo that moſt of the officers were made priſoners. It is pretended, of the Scots there were ſlain about two thouſand, and ſeven or eight thouſand taken priſoners [x], who being ſent to London, were ſold for ſlaves to the plantations of the American iſles. Duke Hamilton mortally wounded, died nine days after. Amongſt the principal perſons were general Leſley, the earls of Lautherdale, Rothes, Carnwarth, Kelly, Derby and Cleveland [y].

Phillips, p. 608. Clarendon, III. p. 320. Heath. Burnet's Mem. p. 432.

[x] Of the king's ſide there were three thouſand ſlain, and ten thouſand taken priſoners; and of Cromwell's army one hundred ſlain, and three hundred wounded. Among the priſoners were three Engliſh earls, ſeven Scotch lords, ſix hundred and forty colonels, and other officers; the king's ſtandard, and one hundred and fifty eight colours were alſo taken. Whitelock, p. 508.

[y] Leſley reached Lancaſhire before he was apprehended, and the reſt were overtaken and made priſoners at Newport in Cheſhire, by a detachment of Lilburn's horſe. Phillips, p. 608, 609.

The

The king, though happily eſcaped from the defeat, was under great difficulties. He was to avoid his purſuers; that was his only concern, but the thing was not eaſy. He found himſelf in the middle of England, which he could conſider but as an enemy's country, though he had in it ſtill ſome friends. He was under a neceſſity to quit it, and find ſome way to convey himſelf beyond ſea, which ſeemed impracticable. It was ſtill more dangerous to attempt a return into Scotland, becauſe he would probably be ſearched for moſt carefully on that road, and though he ſhould ſafely reach that kingdom, the danger would be almoſt the ſame there as in England. The parliament army, victorious in Scotland, as we ſhall ſee preſently, would not have afforded him a ſecure retreat there. He reſolved therefore to go that night as far as poſſible. After that, he diſmiſſed his attendants, who could only ſerve to diſcover him the more eaſily, and put himſelf into the hands of a truſty guide, by whom he was diſguiſed like a peaſant, and conducted through by-roads. In this melancholy ſtate he ſpent a whole day in a tree near the road [a], from whence he ſaw and heard people as they paſſed by, talking of him, and wiſhing he would fall into their hands. He travelled only in the night, his guide concealing him by day in cottages where he was not known, and where his diet generally was only a little milk. At laſt, after two months great fatigues, after infinite dangers eſcaped, after a great part of the kingdom traverſed from Worceſter to the county of Suſſex [a], he embarked, and ſafely arrived in Normandy the 22d of October. The curious are referred to the earl of Clarendon, who, from the mouth of the king himſelf, has given a circumſtantial account of the means of his eſcape, and the adventures in his flight [b].

1651.

The king's flight and arrival in France. Clarendon, III. p. 321, &c. Phillips. Bates. Boſcobel.

T. III. p. 321—331.

We muſt now return to the tranſactions of Scotland, ſince the two armies left that kingdom. While Cromwell was in purſuit of the king, Monk, in obedience to his orders, laid ſiege to Sterling, which reſiſted but few days. This place, one of the ſtrongeſt of Scotland, where the publick records

Monk makes himſelf maſter of Scotlan Phillips, p. 611. Whitelo Ludlow

[a] This tree grew in the thickeſt part of the wood, which was ſearched with the greateſt exactneſs.——This wood was either in or on the borders of Staffordſhire. Clarendon, tom. III. p. 321.

[a] He went in a little bark from Brighthelmſted, a ſmall fiſher town in Suſſex. Whitlock ſays, the king and the lord Wilmot went to London, where they ſtaid three weeks, and the king went up and down in a gentlewoman's habit, and at Weſtminſterhall he ſaw the ſtate's arms, and the Scotch colours. Mem. p. 488.

[b] See likewiſe Bates's Elenchus, and a little book called Boſcobel. Rapin,

1651. were kept, ſurrendered the 14th of Auguſt[c]. All the papers and records were ſent to London, from whence they never returned, the ſhip which was bringing them back, after the reſtoration, being caſt away. After the ſurrender of Sterling, Monk beſieged Dundee, where the inhabitants of Edinburgh had conveyed their beſt effects, after the battle of Dunbar. During this ſiege, ſome Scotch gentlemen aſſembling ſome forces to relieve the town, they were ſurpriſed and diſperſed by a detachment from Monk, and their leaders taken priſoners. Notwithſtanding this misfortune, major Lumſdale the governor made a ſtout defence; till the town was taken by ſtorm the firſt of September, two days before the battle of Worceſter. The taking of Sterling and Dundee were followed by that of Aberdeen, St. Andrews, and all the reſt of the towns and caſtles, capable of making reſiſtance. Thus, in a ſhort time, Monk reduced the whole kingdom of Scotland to the obedience of the Engliſh parliament. And this was the remarkable conſequence of the king's reſolution to conduct the Scotch army into England.

The king in great diſtreſs Clarendon, III. p. 332, 338.

The victory of Worceſter and the reduction of Scotland gave ſuch a reputation to the new republick, that every ſtate in Europe, either courted its friendſhip, or dreaded its arms. For this reaſon, moſt of the ſovereigns excuſed themſelves from making offers to the king, or ſupplying him with money, for fear of being ſuſpected by the parliament. So, the king ſaw himſelf reduced to great extremities, and even to a want of common neceſſaries. He lived at Paris, maintained by his mother, who had a penſion from the crown, but cardinal Mazarin making his court to the parliament of England, took no notice of the diſtreſs of her unfortunate ſon.

Cromwell in great credit.

On the other hand, Cromwell's glory and credit were ſo increaſed ſince the battle of Dunbar and Worceſter, that as he was maſter of the armies of the three kingdoms, he was in effect, maſter of the reſolutions of the parliament, no man daring openly to oppoſe him. He had, beſides, in the houſe ſo great a number of creatures, that it was eaſy for him to procure what reſolutions he pleaſed. So, it may be truly ſaid, that he was the head of the commonwealth, whilſt he had only the title of general.

Power of the commonwealth of England.

This commonwealth was very powerful from its beginning. This appears ſtrange at firſt, conſidering the great ſums that

[c] Over the door of the chapel belonging to Sterling caſtle, this motto in the reign of king James I. was written, J. C. R. nobis hæc invicta dederunt centum ſex proavi. 1617. Phillips, p. 611.

were

were expended, and the blood that was ſhed, during the civil war. But it is to be conſidered, with regard to the expence, that the money had not been carried out of the kingdom. The only alteration was, that the rich were become poor, and the poor rich, which had not ſunk the capital of the kingdom. And as to the number of men killed in the war, it muſt alſo be conſidered, that England ſwarmed with people in the year 1642, having had no wars ſince the death of Elizabeth. So the effuſion of blood had not diminiſhed the inhabitants ſo as to weaken the kingdom to any degree. This is evident, from the eaſineſs wherewith, in the ſpace of one year, the parliament raiſed an army for Ireland, and another more conſiderable for Scotland, beſides the forces remaining in England. The navy, having had no enemies to engage during the war, was in a flouriſhing condition. In a word, England was not leſs powerful than under Elizabeth, or than it might have been under James I. and Charles I, had thoſe princes thought proper to engage in foreign wars. Nothing therefore was altered but the government, and that was in the hands of the moſt able men England had for a long while produced, though their uſurpation was the moſt unjuſt. In this reſpect, England found itſelf in a very different ſtate from what it was under the two foregoing kings, whoſe capacities to govern cannot be greatly commended by the impartial. 1651.

Cromwell returned to London the 21ſt of September, leading with him, in triumph, his principal priſoners, who were committed to the Tower, from whence Maſſey, ſome time after, found means to eſcape [d]. A majority of the parliament, with the ſpeaker at their head, attended by the lord mayor and aldermen of London, met him as far as Acton. Eight days after, the earl of Derby was tried and ſentenced by a council of war, and beheaded at Bolton in the county of Lancaſter [e]. Cromwell returns to London. Phillips. Whitelock. Clarendon, III. p. 347. The earl of Derby executed. Octob.

While

[d] As did alſo the earl of Middletoun. Phillips, p. 610.

[e] James Stanley, earl of Derby, confeſſed upon his trial, the plot for a general riſing of the preſbyterians in Lancaſhire, to join with the king; but it was diſappointed by the apprehending of mr. Birkenhead. He confeſſed alſo the matters of treaſon charged againſt him, and ſubmitted to the mercy of the parliament. And for plea, 1. He alledged, he had quarter given him, and therefore was not to be tried by a court martial. 2. He pleaded ignorance of the acts of treaſon ſet forth by the parliament. But theſe pleas were overruled; and he was ſentenced to loſe his head at Bolton. Whitelock, p. 511. He married the daughter of the duke de la Tremouille in France. What reward his ſon had for this famous earl's loyalty, will appear by the following inſcription, fixed by the preſent earl of Derby, on a building erected

1651. While theſe things paſſed in England, the parliament's fleet became maſter of the iſle of Jerſey, Cornet caſtle in the iſle of Guernſey, and the iſle of Man. In January following, ſir George Aſcough reduced the iſle of Barbadoes, then governed by the lord Willoughby of Parham for the king; and the iſles of Nevis and St. Chriſtophers ſubmitted without oppoſition.

Jerſey, Barbadoes, and other iſles taken by the fleet of the parliament. Whitelock.

England enjoying a profound tranquillity, and Ireland being almoſt reduced, the parliament thought of means to unite Scotland with the commonwealth of England. As they had conquered that kingdom, they believed they had a right to do with it as they pleaſed, without conſulting the Scots, who were no longer able to oppoſe their will. An act therefore paſſed in the Engliſh parliament, which entirely aboliſhed kingly power in Scotland, and united that kingdom to the Engliſh commonwealth, with a power to ſend a limited number of repreſentatives to the parliament. Commiſſioners were afterwards ſent into Scotland, to adjuſt the particulars of the union. Moſt of the Scotch nobility ſeeing themſelves unable to reſiſt the parliament, ſubmitted to their pleaſure. The marquis of Argyle became one of the moſt zealous adherents of the commonwealth, but the clergy were very much diſſatisfied with the union.

The parliament unite Scotland to England. Phillips. Whitelock. Heath. Ludlow.

The parliament afraid of Holland.

Since the independents had openly appeared, they had made a great progreſs. They had beheaded king Charles I. aboliſhed the houſe of lords, turned the monarchy into a commonwealth, quelled the faction of the levellers, humbled the preſbyterians, ſubdued Scotland, and almoſt finiſhed the conqueſt of Ireland. By the victory at Worceſter, they ſeemed to have deprived the king of all refuge, and to have nothing more to fear from him. Nevertheleſs, the royaliſts were ſtill a thorn in their ſide, and gave them continual apprehenſions. Indeed, that party appeared too weak to recover by their own ſtrength, but they were not without a poſſibility of receiving aſſiſtance from foreign powers. Of theſe powers, they dreaded neither France nor Spain, becauſe they were ſatisfied, that the managers of the affairs of theſe two kingdoms had no deſign to attempt the reſtoration

reſted at Knowſley, his ſeat in Lancaſhire:

"JAMES earl of Derby, lord of "Man, and the Iſles, grandſon "of JAMES earl of Derby, and "of CHARLOTTE daughter of "CLAUDE duke de la Tremouille, whoſe huſband JAMES was "beheaded at Bolton, xv. Octob. "MDCLII. for ſtrenuouſly adhering to Charles II. who refuſed a bill paſt unanimouſly by "both houſes of parliament, for reſtoring to the family the eſtate loſt by his loyalty to him. "MDCCXXXII."

of

of king Charles, and though they ſhould have attempted it, their naval forces could not withſtand the navy of England. But there was another power which inſpired them with fear. This was the republick of the United Provinces, who could ſtrongly aſſiſt the royaliſts: nay, it was likely, the prince of Orange, brother-in-law to the king, would uſe his great credit in thoſe provinces, to engage them in the quarrel between the king and the parliament. It was therefore no leſs important, to prevent any aſſiſtance to the king from Holland, than it had been to hinder the Scots from aſſiſting the preſbyterians. 1651.

They try in vain to unite the two commonwealths. Clarendon, III. p. 355. Phillips, p. 613. Heath, p. 285.

For this purpoſe, the parliament, in the year 1649, ſent Doriſlaus to Holland, to propoſe a ſtrict union betwixt the two republicks. The aſſaſſination of that agent at the Hague, made the leſs noiſe in England, becauſe the parliament intended to prevent the danger which might come from that quarter by a ſtrict alliance with the ſtates. The prince of Orange dying October 1650, the parliament judged the occaſion favourable to treat with the ſtates, becauſe the intereſt of that prince could no longer obſtruct the negotiation. They ſent therefore, in March 1651, Oliver St. John and Walter Strickland to the Hague, to negotiate, not a bare alliance, but ſuch an union, as might render them one commonwealth. This propoſal met with great oppoſition from the ſtates. Firſt, the Engliſh pretended, the ſtates ſhould renounce all their alliances, except thoſe common to them with the republick of England. Secondly, the conditions propoſed by the Engliſh were of ſuch a nature, that all the advantages were on their ſide, and the forces of the United Provinces were properly but to ſerve for augmentation of thoſe of England. Thirdly, if the time of the arrival of the two envoys at the Hague be conſidered, it will be eaſily ſeen, that the affairs of the parliament were not yet in a ſituation to oblige the ſtates to be contented with conditions, ſo little advantageous. Indeed, Cromwell had, the year before, gained the battle of Dunbar: but that was not a deciſive victory, ſince the king was going to head a new army, as he afterwards did before the Engliſh envoys left the Hague. The ſtates would therefore have acted with too much precipitation, had they concluded this union before a deciſion between the king and the parliament. Laſtly, the party of the houſe of Orange not being yet entirely ſuppreſſed, ſtrongly oppoſed the union of the two republicks, which would have deſtroyed all the hopes of the young poſthumous prince of Orange. On all theſe accounts, the Engliſh envoys returned in July, diſſatisfied

1651. diſſatisfied not only at their ill ſucceſs, but alſo at ſome inſults on their perſons from the rabble at the Hague [f]. By that they perceived, the ſubjects of the ſtates were more inclined to the king, than to the parliament, and were confirmed in the ſuſpicion, that the ſtates waited only a favourable opportunity to eſpouſe openly the king's intereſts, ſo, their report to the parliament contributed to exaſperate them againſt the ſtates. Their reſentment would perhaps have been immediately ſhown, had they not been engaged in the war with Scotland. Wherefore, it was judged proper to diſſemble, till that war was ended, to which the battle of Worceſter and Monk's ſucceſs in Scotland gave at laſt a proſperous concluſion.

Clarendon, III. p. 355. Phillips.

Very angry with the ſtates.

But if the happy end of this war enabled the parliament to undertake another againſt Holland, it ſeems, on the other hand, to have removed the motives of a freſh war. For after the parliament was become maſter of Scotland and Ireland, there was no likelihood, the ſtates of the United Provinces would think of aſſiſting the king. Beſides, as the prince of Orange was dead, it was not even probable, the ſtates would contribute to the king's reſtoration, uncle of the young prince, whom they deſigned to reduce to the condition of a private perſon. Nevertheleſs, the parliament's reſentment againſt the ſtates was ſo great, that a war was reſolved [g]. Pretexts were ſought from injuries ſaid to be done to the Engliſh by the Dutch thirty years before at Amboyna, and other places in the Indies. It is pretended, Cromwell conſented to this war, of which he ſaw no neceſſity, in pure complaiſance to St. John, and ſome others, who appeared extremely incenſed againſt Holland.

Comes to a reſolution of declaring war againſt them. Phillips. Clarendon, III. p. 360.

Secret motive to the war the ruin of Cromwell.

The ſtrong deſire ſhown by the parliament to engage in this war upon ſuch remote pretences, gives room to conjecture, there were other motives than what publickly appeared. Very probably, even then ſome members, ſecret enemies or enviers of Cromwell, ſought means either to ruin him, or at leaſt conſiderably to leſſen his power. This power in a private perſon ſeemed to them too dangerous for a commonwealth. They had participated in his counſels and deſigns

[f] And from ſome of the Engliſh there. Clarendon, tom. III. p. 355.

[g] Hoſtilities began between the two nations in October 1651, when an Engliſh man of war, meeting with ſome Dutch fiſhermen, demanded of them the tenth herring, as an acknowledgment of England's ſovereignty in thoſe ſeas (or elſe, inſiſted upon their ſtriking ſail) which the Dutch refuſed; whereupon they fell from words to blows, and the Dutch ſhooting firſt at the Engliſh, the Engliſh man of war ſunk one of their ſhips, and all the men were loſt. Whitelock, p. 512.

to

to ſubvert the preſbyterian parliament, and therefore knew his genius, and of what it was capable. Wherefore they could not help dreading, that inſtead of labouring for the commonwealth, he was labouring for himſelf, however careful he was to hide his ambition under the maſk of the publick good. They ſaw at leaſt with uneaſineſs, that if he was forming his own advancement, nothing could hinder him from executing his deſigns as long as he was maſter of the army. The ſupport was therefore either to be taken from him, or the commonwealth expoſed to his ambitious deſigns. But it was difficult to obtain his conſent to diſband an army which was at his devotion, and his great credit in the parliament afforded no hopes of effecting it there, without a preſſing neceſſity. It was believed therefore, that if the republick could be engaged in a ſea-war, the great expence of which was foreſeen, the parliament would by degrees be induced to diſband a land army, to avoid an unneceſſary charge. This policy perhaps may appear at firſt too refined, but three things ſtrengthen this conjecture. Firſt, The cauſes alledged for the war appear not of ſufficient weight to engage the parliament in ſo great an expence, at a time when it would have have been on the contrary very advantageous to let the people enjoy the fruits of peace, in order to make them reliſh the late eſtabliſhed republican government. Secondly, It will appear in the ſequel, that all the ſubmiſſions of the Hollanders, were ineffectual to procure them a peace, and that the parliament would ſcarce hear their propoſals. This plainly ſhows, the parliament had ſome ſecret motive for the continuation of the war; and it is difficult to diſcover any other than what I have mentioned. Thirdly, It is certain, Cromwell at laſt perceived, as will hereafter appear, this war was continued only to give the parliament occaſion to diſband the army, and that this made him reſolve to deſtroy a parliament which ſought his ruin. I own, it is not eaſy to prove, that the authors of the war againſt the United Provinces, had at firſt the deſign I have aſcribed to them; and that with reſpect to the beginning, it is only a conjecture. But this conjecture is confirmed, when it is conſidered, that the principal members joined together to humble the power of Cromwell, and that the war was only continued to make the expence of it a proper reaſon for diſbanding the land army as uſeleſs, but which was neceſſary to Cromwell's ſupport.

1651.

Clarendon, III. p. 360.

However

1651. However this be, Cromwell returning victorious from Worceſter, as he had before done from Ireland and Scotland, his credit ſo increaſed, that he became as it were the ſoul of the parliament and commonwealth. Whether he did not at firſt perceive the ſecret motives of the projected war, or for ſome other reaſon, he readily conſented to the deſign of humbling Holland, which was conſidered as the only foreign power the parliament had to fear. But as the people were to be managed, who would not have been eaſily perſuaded of the neceſſity of this war, it was reſolved to force the Hollanders to be the aggreſſors, or at leaſt to furniſh a pretence for the war. To that end the parliament, under colour of encouraging navigation, made an act prohibiting the importation of all foreign commodities except upon Engliſh bottoms, or ſuch as were of the country from whence the commodities came. By this act, which was to commence the firſt of December 1651, all commerce between England and Holland was deſtroyed, ſince that commerce conſiſted only in foreign merchandizes imported from Holland in their own veſſels. Beſides this, the parliament granted letters of mart to ſeveral private men, who complained of an unjuſt confiſcation of their ſhips in Holland.

An act paſſed in the Engliſh parliament which gave riſe to the war. Clarendon, III. p. 355.

The ſtates endeavour to avoid a war. Decemb. Whitelock. Clarendon, III. p. 353. Phillips, p. 613.

The ſtates eaſily perceived the parliament's deſign, but inſtead of beginning hoſtilities, as was expected by the Engliſh, they ſent an embaſſy to London, to ſollicit a revocation of the act. The parliament received the ambaſſadors with marks of reſpect, and granted them ſeveral audiences, their aim being to intimate, that it ſhould not be their fault if the peace between the two republicks were not preſerved. But when the particular articles came to be diſcuſſed, it was plain the parliament was bent upon war. Inſtead of revoking the navigation act, ſeveral ſtale pretenſions were revived. Satisfaction was demanded for the maſſacre of the Engliſh at Amboyna in the year 1622; for the loſſes ſuſtained from the Dutch ſince the year 1618 in the Indies, Perſia, the Mogul's dominions, Muſcovy, Greenland, and the iſle of Poleron. Theſe loſſes, according to the parliament's eſtimation, amounted to ſeventeen hundred thouſand pounds ſterling. A ſuitable reparation was alſo inſiſted on for the murder of Doriſlaus committed at the Hague, under the eye of the ſtate, who had taken no proper meaſures to bring the authors to puniſhment. In fine, it was pretended, that ſatisfaction ſhould be given for the ſecret intelligence which the laſt ambaſſadors from the ſtates had held with the late king during the civil war. For theſe ſatisfactions and reparations,

Pretenſions of the parliament. Burchet's Nav. Hiſt. p. 380.

Letters of the parliament to foreign princes. p. 41.

the

the parliament offered to make an alliance with the United Provinces upon the terms propoſed by their envoys at the Hague [h]. 1651.

Theſe propoſitions convinced the ſtates that they were to prepare for war. Accordingly, with great care and expence a fleet was put to ſea of a hundred and fifty ſail. They were unwilling however to declare war againſt the parliament, and reſolved, if poſſible, to cauſe the Engliſh to be the aggreſſors. For this purpoſe, while the ſtates ambaſſadors were ſtill at London, their admiral Martin Van Trump, one of the braveſt and moſt experienced ſea officers in Europe, appeared in the channel with a fleet of forty five ſhips of war, pretending to convoy ſome merchantmen, and came and anchored in Dover road, probably with deſign to give the Engliſh a provocation to begin hoſtilities. Admiral Blake, who commanded the Engliſh fleet conſiſting only of twenty ſix ſail, appearing in ſight, the Dutch weighed anchor, and put to ſea without ſtriking their flag, whereupon Blake fired three guns without ball for a ſignal to ſtrike, to which Trump anſwered no otherwiſe than by drawing up his ſhips in line of battle, and in contempt of the ſignal, diſcharged one ſingle gun, and coming up to the Engliſh admiral gave him a broad ſide. So, the fight begun without any certainty which ſide was the aggreſſor [i]. The two admirals had poſitive orders ſo to behave, as not to come to an engagement without apparent neceſſity. The Engliſh ſay, Trump had orders from the ſtates not to ſtrike to the Engliſh, to oblige them to begin hoſtilities. This is not improbable, though the Dutch authors do not mention it [k]. Blake being reinforced with eight ſhips, the engagement laſted from four in the afternoon till night. The Engliſh, if their hiſtorians are to be credited, had not a ſingle ſhip damaged, and the Dutch loſt two, one taken, and one ſunk. They ſay farther, that night coming on, Trump drew his fleet to the back of the Goodwin Sands, and the next morning ſailed for Zealand. The Dutch own the loſs of

1652.

Whitelock, p. 535.

May. Clarendon, III. p. 356. Phillips. Whitelock.

Firſt ſea-engagement May 17. Clarendon, III. p. 356. Phillips. Whitelock, p. 533. Heath.

Clarendon, III. p. 357. Phillips.

[h] They alſo inſiſted upon a free trade upon the Schelde from Middleburgh to Antwerp, Heath, p. 308.

[i] The refuſal of ſtriking the flag, and the broadſide given by Trump to Blake, ſeems to put it out of all doubt, that the Dutch were the aggreſſors. Though Rapin takes this account from the lord Clarendon, yet either himſelf, or the French tranſlator has ſo mangled this paſſage, that I thought beſt to inſert it, as it is in the author he quotes.

[k] The lord Clarendon ſays, the council of the admiralty of Holland, who govern the maritime affairs without communication with the ſtates general, ordered Trump not to ſtrike. Tom. III. p. 356.

two

1652. two ſhips, but affirm the Engliſh had ſix ſunk, and that the night only ſaved their fleet from entire deſtruction. It is difficult exactly to diſcover the truth in ſuch contradictory accounts, particularly concerning ſea engagements. It ſeems however, that the conſternation at London occaſioned by this battle, and the inſults offered to the Dutch ambaſſadors from the populace, which obliged the parliament to give them a guard, ſhow, the people were not pleaſed with the ſucceſs.

Whitelock, p. 533. Phillips. p. 614.

A fruitleſs embaſſy from the ſtates. July. Clarendon, III. p. 357. Phillips. Whitelock.

The Dutch ambaſſadors, knowing the intention of their maſters, endeavoured, in an audience obtained of the parliament, to ſhow, the battle was a pure effect of chance. On the other hand, the ſtates ſent to the parliament an ambaſſador extraordinary, to propoſe an agreement. This was Adrian Paw, who had been plenipotentiary at the peace of Munſter. But the parliament not receding from any of the articles propoſed before the rupture [l], the ſtates recalled the ambaſſadors, and reſolved to continue the war, ſince there was no other way to procure a peace. A manifeſto was publiſhed, in which they pretended to demonſtrate, the parliament attacked them without any provocation; and the parliament anſwered in another, declaring all the occaſions of complaint above-mentioned. To this was added the refuſal of ſtriking the flag, a right they were reſolved to maintain at all hazards. The ſtates replied, it was true, their republick, in its infancy, had paid that compliment to the royal dignity, when England was under the dominion of a king, but they could not believe themſelves oblige to the ſame reſpect ſince the monarchy was changed into a commonwealth. After all, this was by no means the real cauſe of the war. But theſe manifeſtos were neceſſary on both ſides for an intimation to the people, that they were not engaged without neceſſity in extraordinary expence to ſupport a war.

Manifeſtos from both the nations Collect. of Treaties. t. III. p. 36, &c. The right of the flag inſiſted on by the Engliſh, and replied to by the ſtates. Whitelock.

Van Trump's fleet diſperſed by a tempeſt. Auguſt. New. Hiſt. of Holland. Clarendon, III. p. 357. Phillips. Whitelock, P. 541.

The war being ſufficiently declared, as well by the manifeſtos, as by a battle, Van Trump put to ſea with a fleet of ſeventy ſhips, whilſt Van Gallen ſailed to the Mediterranean to fight the Engliſh there. Trump's deſign was to engage admiral Aſcough who lay in the Downs with part of the Engliſh fleet. But, while he was waiting an opportunity, admiral Blake with forty ſhips ſailed to the northward, to attack the herring fleet, and their convoy [m]. Trump being

[l] They would hear of no propoſitions, without being firſt ſatisfied for their charges and damages. See Whitelock, p. 537.

[m] Which conſiſted of twelve men of war. Clarendon, tom. III. p. 358.

informed

informed of it, follows and overtakes him near Newcaſtle. But while he was preparing for the fight, a furious tempeſt ſo diſperſed his fleet, that he returned to Holland but with forty ſail. The reſt that eſcaped ſhipwreck, arrived not at the Texel till ſome weeks after. 1652.

About the ſame time, Ruyter convoying a fleet of merchantmen with thirty four ſhips [n], was met by ſir George Aſcough, and a furious engagement enſued, which was bravely fought on both ſides, till Aſcough at laſt was forced to retire to Plymouth, and leave Ruyter free paſſage to convoy his fleet into Holland. Engagement between Ruyter and Aſcough. Aug. 16. Whitelock.

During the engagements in the channel, Van Gallen attacked and beat the Engliſh in the Mediterranean: but his victory coſt him his life, being ſlain in the fight. Van Gallen killed. Septemb.

Mean while, the Engliſh putting to ſea with a formidable fleet, made themſelves maſters of the channel, the Dutch not daring to appear. During that time, a conſiderable number of Dutch veſſels returning to Holland, without being informed of the war, fell into the hands of the Engliſh, and amongſt others, a fleet of forty ſail from Portugal, and ſix India ſhips richly laden. The Engliſh formidable at ſea, take great numbers of the enemy's ſhips. Whitelock.

Whereupon the Dutch, not to expoſe their merchants to greater loſſes, gave notice to the merchantmen, homeward bound, to ſail to the iſle of Rhé, where a fleet ſhould be ready to convoy them. Purſuant to this project, Trump left the Goree in November, with ſeventy men of war, and ſix fire ſhips, and met Blake, who expected him in the channel. The fight laſted from eight in the morning till night, when part of the Engliſh fleet retired to the Downs, and part into the Thames. A wound received by Blake having thrown his fleet into ſome diſorder, he could not hinder Trump from purſuing his courſe [o]. Trump ſails to the iſle of Rhé. Fight in the channel. Nov. 29. Whitelock. Heath. R. Coke.

Since the death of Charles I. the duke of Glouceſter, his third ſon, had been confined in the iſle of Wight, and educated as a private gentleman, they who had the charge of his education, being expreſsly commanded to ſhow him no reſpect, that might put him in mind of being a king's ſon. At laſt, the parliament reſolved to ſend him out of the king- The duke of Glouceſter ſent out of the kingdom. February 1652-3. Phillips. Heath.

[n] Our hiſtorians ſay, there were ninety ſail of them, whereof thirty were merchantmen. Aſcough had but thirty eight ſail. Whitelock, p. 541, 542.

[o] With a broom on his main-top-maſt, as if he had ſwept, or would ſweep, all the Engliſh ſhipping out of the channel. Phillips, p. 615.—This year prince Maurice was loſt in a hurricane in the Weſt Indies. In September died Ralph lord Hopton, at Bruges in Flanders.—And this year alſo died Jacob lord Aſtley, and John Digby earl of Briſtol. Heath.

1652. dom, for which purpoſe he was conducted to Dunkirk, from whence he viſited his ſiſter the princeſs of Orange at Breda, and then repaired to the king his brother at Paris.

A ſea engagement, which laſted three days. Feb. 18, &c. Whitelock. Clarendon, III. p. 360. Phillips. Heath. Ludlow.

In February, Blake again put to ſea with a fleet of eighty ſail, being aſſiſted, at his own requeſt, with Monk and Dean, newly arrived from Scotland for that purpoſe. The intention of the three admirals was to fall upon Trump in his return from the iſle of Rhé, with three hundred merchant ſhips, he was to convoy to Holland. The ſtates being informed of the great preparations in England, had equipped twenty ſhips to join their admiral in his paſſage, but they were hindered by contrary winds. In the mean time, Trump entering the channel, and conducting the merchantmen along the coaſts of France, met the Engliſh fleet, much ſuperior to his own in number of ſhips. But finding himſelf too far advanced to recede, a furious engagement began, which laſted three days, and would have been renewed the fourth, had the ſhips on either ſide been able to ſuſtain a freſh charge. The Dutch loſt in this engagement eighteen men of war, and eight merchantmen [p]. But their hiſtorians pretend, that one and twenty ſhips of the enemy were ſunk, and three ſtranded. Each ſide challenged the victory. However that be, Trump convoyed his three hundred merchantmen into Holland, the eight excepted, which fell into the hands of the Engliſh. After he had ſecured the merchantmen, he engaged the Engliſh four ſeveral times, but not in ſo important a manner.

1653. Shortly after, the king imagining, he had many friends amongſt the commanders of the Engliſh fleet, offered the ſtates to put himſelf on board their fleet, without any command, except of ſuch Engliſh ſhips as ſhould come and join him. But the ſtates thought not fit to accept his offer. It was conſidered by them as a ſnare, to engage them to declare for him, to which, in their preſent circumſtances, they had no inclination. They wanted peace, and were unwilling to remove or render it impoſſible, by eſpouſing the king's cauſe. They even found a way to convey privately to Lenthal the ſpeaker, a letter from the ſtates of Holland, to propoſe an agreement. Some ſay, this was owing to a private intimation from Cromwell, who began to diſcover, that the peace was now proper for his intereſts. He had the addreſs to obtain from the parliment a civil anſwer to the let-

The king offers to put himſelf aboard the Dutch fleet. Clarendon, III. p. 358. His offer rejected.

Id. p. 360.

[p] Some ſay, that they loſt in the three days engagement eleven ſhips of war, thirty merchantmen, and had fifteen hundred men killed. Burchet, p. 383.

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ter received by Lenthal; but the anſwer was directed to the ſtates general. This drew from the ſtates a letter of the 30th of April, in which it was openly deſired, the parliament would pleaſe to name a place for a treaty. 1653. The ſtates ſue for a peace.

Cromwell at laſt perceived, the continuation of the war was a contrivance of his enemies, that the expence might render it neceſſary to diſband the army, now become uſeleſs, to which he ſaw the houſe was inclined. This tended manifeſtly to undermine his authority. For though he had excellent qualities, and by his valour and capacity had raiſed the commonwealth to its preſent grandeur, he was, however, ſtill feared. Had he not been ſupported by the army, his ruin had been infallible, the parliament fearing that his credit, already too great, would become ſtill greater, to the prejudice of the commonwealth. Cromwell had even private information, that a conſpiracy was forming againſt him, in which were engaged not only ſeveral preſbyterians and royaliſts, but alſo ſome conſiderable members of the houſe, though of the independent party. Affairs therefore were in ſuch a ſituation, that the parliament was either to be ſubdued, or himſelf ruined. Such a choice does not long amuſe the ambitious. Cromwell, diſpleaſed at a deſign to requite his ſervices with ingratitude, eaſily determined to riſque every thing to make himſelf maſter of the parliament, rather than become their ſlave, who properly owed all their power to him. Deſigns againſt Cromwell Id. p. 360, 371, 372. Ludlow. which bring him into a neceſſity of deſtroying the parliament.

The parliament, as I obſerved, was entirely ſupported by the army, and by their means held the nation in ſubjection. But ſince the battles of Dunbar and Worceſter, Cromwell had ſo acquired the eſteem and affection of the officers and ſoldiers, that they ſupported the parliament, only as its intereſts were confounded with thoſe of their general. The leading members perceived it, and therefore had formed the project of diſbanding the army, to ruin Cromwell with the more eaſe. But ſuch a project was not to be long concealed from one of Cromwell's penetration. As ſoon as he diſcovered the deſign of his enemies, he judged, there was no other way to ſupport himſelf, than by withdrawing the confidence of the army from the parliament; after which, it would not be difficult to deſtroy them. This was the very method practiſed by himſelf and the other independents, to ruin the preſbyterian parliament. He therefore cauſes the officers of the army, in a general council, to frame a petition, and preſent it to the parliament; in which they demanded, "The arrears of their pay, that they might not be Cromwell's meaſures to ſupport his authority. Clarendon. III. p. 371. Whitelock. Petition of the officers to the parliament. Clarendon, III. p. 372. Phillips. Whitelock,

1653. "compelled to take free quarter upon their fellow ſubjects, "who already paid ſo great contribution and taxes, which, "they were well aſſured, if well managed, would defray all "the charges of the war, and of the government."

The parliament, as Cromwell had foreſeen, complained of the inſolence of this petition, and ordered a reprimand to the officers for their preſumption, to intermeddle in affairs which belonged not to them, and to arraign the parliament's management of the treaſury. This drew from the army a ſecond petition, which put the houſe in mind of ſome former profeſſions they had made, "That they would be "glad to be diſſolved, and that there might be ſucceſſive "parliaments, to undergo the ſame trouble they had done. "They therefore deſired them to remember, how many "years they had ſat, and though they had done great "things, yet it was a great injury to the reſt of the nation, "to be utterly excluded from bearing any part in the ſer- "vice of their country, by their ingroſſing the whole power "into their hands: and thereupon beſought them, that they "would ſettle a council of war for the adminiſtration of "the government, during the interval, and then diſſolve "themſelves, and ſummon a new parliament; which, they "told them, would be the moſt popular act they could per- "form."

They demand its diſſolution. Clarendon, III. p. 372.

This remonſtrance, though intended to exaſperate the parliament, appeared however very juſt in itſelf, and agreeable to the general ſentiment of the nation. This will be evident, when it is conſidered, in what manner the members, which compoſed this parliament, had poſſeſſed themſelves of the ſupreme authority. The violence they had uſed to their collegues, the late king's tragical death, the change of the monarchy into a commonwealth, and the taxes impoſed on the people for an unneceſſary war, had rendered them odious to the whole kingdom. They were themſelves ſenſible of theſe things; but, beſides that it was very mortifying to them to diveſt themſelves of an authority which had ſo many charms, they had reaſon to fear, that an account would be demanded of their actions. They were therefore unwilling to quit poſſeſſion, and yet, could not avoid ſolemnly deliberating upon the petition, which was of a nature not to be neglected. In this debate, all the members, who were officers in the army, ſtrenuouſly ſupported the petition. The preſbyterians who had been received into the houſe upon their ſwearing to the engagement, were alſo of opinion, that the parliament ought to diſſolve themſelves,

Id. p. 373. Phillips.

ſince it could not be doubted, that it was the nations deſire. But the negative was carried by a majority of voices. It was therefore reſolved, that it was not yet time to diſſolve the parliament, while affairs were depending that could not be left unfiniſhed, and particularly the important war with Holland. That nevertheleſs, the ſpeaker ſhould iſſue out writs for filling the vacant ſeats in the houſe. At the ſame time, a committee was appointed, ſpeedily to prepare a bill, by which all perſons were forbid to preſent ſuch petitions, under pain of being declared guilty of high treaſon. 1653.

The parliament votes againſt a diſſolution, and prepares an act to forbid ſuch petitions.

This was what Cromwell expected from the parliament. After ſo expreſs a declaration, it could not be doubted, that the members who had ſat more than twelve years, and had but too much abuſed their power, would always retain the ſupreme authority in their hands, under colour of being the repreſentatives of a republick, which properly conſiſted only of themſelves. Cromwell being therefore very certain, the parliament was odious to the people, and not leſs diſagreeable to the army, believed, he owed no farther regard to men, who only ſought his ruin. When things were concerted with the principal officers, he came to the houſe, the 20th of April, with ſome officers and ſoldiers, and without any ceremony, told the members, he was come to put an end to their power, of which they had made an ill uſe; and therefore, they were immediately to be diſſolved. The officers and ſoldiers entered at the ſame time, and ſtayed at the door till the members walked out. Cromwell, as they came by him, reproached one with drunkenneſs, another with corruption, not ſparing any of thoſe whom he knew to be his enemies. After that he gave the mace to one of his officers, and locked the door [q]. This was an extraordinary action, but no more than was done a few years before by general Fairfax, when he expelled and impriſoned the members, who were diſagreeable to the army.

Cromwell diſſolves the parliament. April 20. Clarendon, III. p. 373. 374. Bates.

[q] Whitelock, who was preſent, ſays, Cromwell led into the houſe a file of muſqueteers with him, and in a furious tone bid the ſpeaker leave his chair, and told the houſe, "They had "ſat long enough, unleſs they had "done more good; that ſome of them "were whoremaſters, (looking toward "Henry Martin, and ſir Peter Wentworth,) others of them were drunkards, and ſome corrupt and unjuſt "men, and ſcandalous in the profeſſion of the goſpel; and that it was "not fit they ſhould ſit any longer, and "deſired them to go away." Whereupon, among all the parliament men, of whom many wore ſwords, and would ſometimes talk big, not one offered to draw againſt Cromwell, but all tamely departed the houſe. He bid one of his ſoldiers "take away that fool's bauble "the Mace." Whitelock p. 554.

1653. It cannot yet, however, be affirmed, that Cromwell, by this proceeding, had pulled off the maſk. He might ſtill be thought to have good intentions to the publick, ſince he had only delivered the nation from a parliament, which had long held them in ſervitude. And had he, after this, called a free parliament, and ſubmitted to it himſelf, the people would have loaded him with bleſſings. But the ſequel clearly diſcovered, he was only labouring for himſelf [r]. And yet, if it is conſidered that the nation was then divided into three parties, each mortally hating the other two, it is not eaſy to conceive, how a parliament, though ever ſo free, would have been able to ſettle the peace of the nation. It was hardly poſſible to find expedients to content the three parties, whoſe intereſts and principles were ſo oppoſite, as well concerning government as religion. Only force, by giving a ſuperiority to one of the three, was capable of awing the other two. This doubtleſs was conſidered by Cromwell, and therefore he reſolved to model the government after his own way, ſupport his ſettlement by force, and regard not the chimerical project of contenting every man. He ſaw the neceſſity of a ſupreme authority capable of commanding obedience, without which all would run into confuſion, and that this authority was to be ſupported by the army; and doubtleſs, he believed himſelf more capable than any other, to manage the reins of the government. I pretend not here to juſtify all the actions of this great man, whoſe ability was never conteſted; but only to ſhew, that, in this juncture, he could have taken no other courſe, without throwing the ſtate into the moſt terrible confuſion that can be imagined. Since therefore, as matters then ſtood, England was to be governed by force, was it more inconvenient to ſee the nation ruled by the greateſt general and ſtateſman the kingdom had for many years produced, than by a parliament, independent or preſbyterian, or by a king intoxicated with arbitrary power? The people had made trial of theſe three ſeveral governments, and found them inſupportable. A fourth therefore was to be tried, things being in ſuch a ſtate, that it was neither poſſible nor proper to ſubmit to any of the

Reflections upon this action of Cromwell.

[r] It is probable, he had formed the deſign of invading the government, juſt after the battle of Worceſter. For he had a meeting at the ſpeaker's, with ſeveral members of parliament, and principal officers of the army, to conſider of the ſettlement of the nation. The ſoldiers were for a republick, the lawyers for a mixed monarchy, and many for the duke of Gloceſter to be made king; but Cromwell ſtill put off that debate. And it is thought, his deſign in that conference, was only to ſound thoſe great men, that he might manage accordingly. See Whitelock, p. 516.

other three. This ſuppoſed, it is not to be denied, that Cromwell was more capable to govern this great ſtate, than any other man then in England. No objection could be raiſed againſt him, which might not with more juſtice, have been urged againſt any other man who ſhould have ſeized the government, or any body of men inveſted with the ſupreme power. If, on certain occaſions, he abuſed his authority; if, in his actions, he had only a view to his own glory and intereſt, that is what I pretend not to vindicate. It is however certain, that things have been greatly aggravated, and ſome of his actions miſrepreſented, which with diſintereſted and unprejudiced perſons, are capable of being eaſily juſtified. All the difficulty concerning this affair, lies in the ſuppoſition made by each of the three parties, that their ſcheme of government was the beſt, and moſt perfect. But as Cromwell diſregarded all the three ſchemes, he was equally exclaimed againſt by the three parties. The independents, fond of their democracy, which was, however, but an empty name, were enraged at him, for overturning a building which he himſelf had erected. The preſbyterians could have wiſhed, he would have reſtored the parliament to the ſtate it was in, at the beginning of the year 1648, when they were maſters; and could not forgive him, for not taking that courſe, which, in their opinion, was the moſt natural. The cavaliers or royaliſts were well pleaſed that Cromwell had diſſolved the independent, without reſtoring the preſbyterian, parliament. But to ſatisfy them, he muſt have reſtored the king to his throne, and the church of England to all her rights. The reader is left to judge, whether, in the preſent ſituation of affairs in England, what the three parties deſired, was either juſt, proper, or practicable. It is no wonder therefore, if theſe three parties were equally diſpleaſed with Cromwell's proceedings, and loaded him with invectives. 1653.

A little after, Cromwell publiſhed a declaration to juſtify the diſſolution of the parliament, and as his deſigns were not yet manifeſted, this declaration was ſubſcribed by the colonels of the army, and all the ſea-captains, and met with a general approbation. Cromwell juſtifies his conduct in a declaration. Clarendon, III. p. 37. Heath, p. 340. Whitelo

The parliament being diſſolved, the ſovereign power was neceſſarily to be lodged ſome where. Cromwell might have taken the adminiſtration of the government, by the ſame authority that he had diſmiſſed the parliament. But he had no deſign to uſurp it ſo notoriouſly. He had contrived, that it ſhould be given him by a parliament, in order to dazzle

1653. the eyes of the publick with ſo venerable an authority. The council of officers, who had preſented the petition to the parliament, being ſtill aſſembled, Cromwell cauſed them to reſolve, that a hundred forty four perſons ſhould be intruſted with the ſupreme power. In the choice of theſe perſons, Cromwell at once diſplayed his abilities, and diſcovered, that he had ſome ſecret deſign, which, would at a proper ſeaſon manifeſt itſelf. They were all men of no birth, illiterate, with no particular merit, unexperienced in affairs, in a word utterly incapable of an employ of that conſequence [s]. Cromwell eaſily foreſaw, they would ſoon be weary, and forced to put the government into his hands, and ſo furniſh him with a pretence to aſſume it to himſelf. This notable choice being made, he writ to each in particular, to require them to aſſemble at Whitehall the 4th of July in order to take upon them the adminiſtration of the government [t].

Makes choice of 144 perſons to take care of the government. Whitelock. p. 558, 559. Clarendon, III. p. 376. Bates. Dugdale's View. Heath. p. 350.

These new ſovereigns meeting on the day appointed, Cromwell made a ſpeech, and when it was ended, gave them an inſtrument ſigned by himſelf and the principal officers of the army, by which the ſupreme power was lodged in their hands. This inſtrument imported, that all theſe members, or any forty of them, were to be held and acknowledged the ſupreme authority of the nation, to whom all perſons were to yield obedience and ſubjection till the 3d day of November, in the year 1654, that is, during one year and four months. That three months before their diſſolution, they were to make choice of other perſons to ſucceed them, whoſe authority ſhould not exceed one year, and then they likewiſe were to provide and take care for a like ſucceſſion in the government. But it will preſently appear, that Cromwell did not intend, this regulation ſhould be exactly obſerved. These members, thus impowered, made no ſcruple to call themſelves a parliament, and choſe one Rouſe [u] for their ſpeaker. The whole nation was ſur-

Delegates the government to them by an inſtrument. Bates. Clarendon, III. p. 377. Whitelock. p. 559. Phillips.

They aſſume the name of a parliament. Whitelock. p. 560. Clarendon, III. p. 377, 378.

[s] The lord Clarendon ſays, there were amongſt them divers of the quality and degree of gentlemen, and who had eſtates, credit, and reputation. tom. III. p. 376.

[t] After a ſhort preamble, the letter ran thus: "I Oliver Cromwell, captain general, and commander in chief "of all the armies and forces raiſed, "or to be raiſed within this commonwealth, do hereby ſummon and require you (being one of the perſons "nominated) perſonally to appear at "the council-chamber at Whitehall, "within the city of Weſtminſter, upon "the 4th of July next enſuing the date "hereof, then and there to take upon "you the truſt unto which you are "hereby called and appointed, to ſerve "as a member of the county of—and "hereof you are not to fail." Oliv. Cromwell.

Given under my hand and ſeal the 8th day of June 1653. Whitelock, p. 558.

[u] An old gentleman of Devon, provoſt of Eaton, and member of the long parliament.

prized

prized to find themſelves under the dominion of ſuch men, moſt of whom were artificers, or retail merchants [w], Amongſt theſe members was one Barebone a leather ſeller, who in his neighbourhood paſſed for a notable ſpeaker, becauſe he uſed to entertain them with long harangues upon the times. From this man the people, in deriſion, called them Barebone's parliament [x]. I ſhall leave this ridiculous aſſembly for a moment, which did nothing worth remembring, to reſume the recital of the war and the affairs between England and the United Provinces. 1653.

Are called in deriſion, Barebone's parliament.

The letter writ by the ſtates-general to the parliament the 20th of April, the day on which the parliament was diſſolved, was referred to the council of ſtate, eſtabliſhed by Cromwell and his officers till the new parliament ſhould aſſemble. This council, under the direction of Cromwell, gave a favourable anſwer to the ſtates, with hopes of a peace, upon ſending plenipotentiaries to London.

A letter from the ſtates anſwered by the council of ſtate, May 6.

The Engliſh affairs were then in a ſtate of uncertainty, of which it was difficult to foreſee what would be the event. Cromwell had, by his ſole authority, diſſolved the parliament, and named a council of ſtate which governed the kingdom, with no other right than what was derived from the officers. It was therefore not very proper for the ſtates either to treat of or conclude a peace with men ſo little authorized. But the provinces of Holland and Zealand, the greateſt ſufferers by the war, wiſhed to end it at any rate. At laſt, after great conteſts, the ſtates general named four ambaſſadors to negotiate a peace at London.

The ſtates appoint ambaſſadors to negotiate a peace. Whitelock. p. 558. R. Coke.

Whilſt their inſtructions were preparing, the fleets of England and the ſtates, met the 2d of June, and came to an engagement, which was renewed the next day. In this laſt engagement, Trump fighting with great diſadvantage, was obliged to retire in diſorder, having loſt many ſhips, which were ſunk or taken by the Engliſh [y].

A fight between the two fleets. June 2. Trump beaten. Whitelock. Clarendon, III. p. 382. —382.

[w] It was much wondered by ſome, that theſe gentlemen, many of them being perſons of fortune and knowledge, would at this ſummons, and from theſe hands, take upon them the ſupreme authority of this nation, conſidering how little authority Cromwell and his officers had to give it, or theſe gentlemen to take it; but it was accepted by them. Whitelock, p. 559.

[x] His name was Praiſe-God Barebone, from whom, he being a great ſpeaker in it, the parliament was called as above.

[y] There were ſix ſunk, and twelve taken, with thirteen hundred and fifty priſoners. The Engliſh fleet was at firſt commanded jointly by Blake, Monk, and Dean. Dean was killed, and in the Engagement which followed, Monk commanded alone. Clarendon, tom. III. p. 380. Whitelock, p. 558.

1653. After this battle, the Engliſh fleet being reinforced to the number of a hundred ſhips, ſaw itſelf, ſome time, miſtreſs of the ſea, and gave frequent alarms to the coaſts of Holland. At laſt, Trump having repaired his fleet as much as poſſible, though it was inferior to the Engliſh both in the number and largeneſs of the ſhips [z], attacked the enemy's fleet again near the Texel. The fight laſted from morning till night without any conſiderable advantage to either ſide. It was renewed the next day with the ſame fury, Trump being reinforced with twenty ſeven ſhips, nor did this ſecond day decide the victory. The third day opened with a freſh engagement, in which Trump was killed by a muſket ball. But vice admiral de Witzen continued the fight, till the two fleets, as if by conſent, retired to their own coaſts, unable to fight any longer. The loſs on both ſides was very conſiderable [a], and neither could juſtly boaſt of the victory; but the loſs of admiral Trump was irreparable to Holland.

Another fight which continued three days, the firſt July 29. Id. p. 381. Whitelock, p. 562. Phillips. Heath. p. 346, 348. Trump killed The two fleets retire. Whitelock. p. 564.

The Engliſh put to ſea again. Cromwell took care ſpeedily to repair the Engliſh fleet, in hopes of receiving ſome advantage from the conſternation cauſed by the death of Trump, the loſs of ſo many ſhips, and the diviſion then reigning amongſt the United Provinces. But a violent ſtorm ſo damaged his fleet, that he was under a neceſſity of either making a peace, or loading the people with new taxes, which, in his preſent ſituation, was very improper. He liſtened therefore to the propoſitions of the ſtates, and the whole following winter was ſpent in the negotiation.

Their fleet damaged by a ſtorm.

Peace negotiated at London.

The parliament returns the ſovereign power into the hands of the officers. Clarendon. III. p. 378, Whitelock. p. 570, 571. Phillips. Barebone's parliament did nothing conſiderable in a ſeſſion of more than five months [b]. Nor was it called for that purpoſe. At laſt, the 12th of December, the ſpeaker, with a good number of the members, who knew Cromwell's intentions, being aſſembled ſooner than uſual, one of them roſe up and ſaid, that they were unequal to the burthen laid upon them, and therefore propoſed a diſſolution of themſelves, and a reſignation of the ſovereign authority into the

[z] The Dutch had ninety men of war, and the Engliſh one hundred and ſix. See Whitelock, p. 562. Phillips, p. 619.

[a] Twenty-ſeven Dutch ſhips were fired or ſunk and above one thouſand priſoners taken. The Engliſh loſt four ſhips, four hundred common ſailors, and eight captains. And had above ſeven hundred men, and five captains wounded. Clarendon, tom. III. p. 388.

[b] They made an act for marriages, ordering the banes to be publiſhed in the next market, three ſeveral days, and the ceremony to be performed by a juſtice of the peace. And that there ſhould be a regiſter appointed in every pariſh to keep an account of them. Scobell.

hands

hands from whom it was received. This propoſal met with a ready and unanimous approbation. Then the ſpeaker and all the preſent members, without waiting for thoſe who were not yet come, left their ſeats, and went directly to Cromwell and the council of officers: To whom they declared, that they found themſelves incapable of the truſt repoſed in them, reſigned the inſtrument they had received, and beſought them to take care of the government. Thus Cromwell and his council of officers were once more inveſted with the ſupreme power, by that parliament on which themſelves had conferred their pretended authority. It is manifeſt, this had been reſolved from the calling of the parliament, in order to derive a parliamentary authority to thoſe, who had by their own power diſſolved the former parliament. This artifice was ſo groſs, that Cromwell's belief to impoſe upon the people, is amazing. But an abſurdity is ſwallowed by means of an irreſiſtible power. 1653.

The council of officers inveſts Cromwell with the dignity of protector. Clarendon, III. p. 378. Whitelock, p. 571.

Two days after, the council of officers, by virtue of the authority lately given them by the parliament, declared, that for the future the government of the republick ſhould reſide in a ſingle perſon, namely, Oliver Cromwell, captain general of the forces of England, Scotland and Ireland, who ſhould have the title of protector of the three kingdoms, and be aſſiſted by a council of twenty one perſons.

Inſtrument of government. Whitelock, p. 571. Clarendon, III. p. 379. Bates.

The 16th of December the council officers ſent for the commiſſioners of the great ſeal, with the lord mayor and aldermen of London, and informing them that Cromwell was made protector, cauſed to be read in their preſence a writing called the inſtrument of government, the ſubſtance whereof was: I. A parliament to be called every three years by the protector. II. The firſt to aſſemble on the 3d of September 1654. III. No parliament to be diſſolved till they have ſat five months. IV. Such bills as are offered to the protector by the parliament, if not confirmed by him in twenty days, to be laws without him. V. That his council ſhould not exceed the number of one and twenty, nor be leſs than thirteen [c]. VI. That immediately after the death of

[c] The firſt council choſen, in purſuance of this inſtrument, were, colonel Montague, colonel Lambert, viſcount Liſle, colonel Deſborough; Gilbert, Pickering, Anthony Aſhley Cooper, Charles Wooliey, baronets; major general Skippen, Walter Strickland, colonel Sydenham, colonel Jones, Francis Rouſe, John Lawrence, Richard Major, Phillips, p. 620. The reader may ſee the inſtrument of government at large in Whitelock's Mem, p. 571, &c.

Cromwell,

1653. Cromwell, the council ſhall chuſe another protector before they riſe. VII. That no protector after the preſent ſhall be general of an army. VIII. The protector ſhall have power to make war and peace. IX. That the protector and his council may make laws, which ſhall be binding to the ſubject, during the intervals of parliament. After the reading of this inſtrument, Cromwell took an oath to obſerve it to the utmoſt of his power. Then he was conducted to Whitehall with great ceremony, Lambert carrying the ſword of ſtate before him, and from that time the title of highneſs and lord protector was given him. Immediately after, he was proclaimed as ſuch at London, and then in the three kingdoms, which formed but one commonwealth. The city of London invited him to a ſplendid entertainment, where the ſolemnity of his reception was ſuch as had been at any time performed to the king.

Cromwell takes an oath to obſerve it. Whitelock, P. 577.

Aſſumes the title of highneſs. Invited by the city to an entertainment. February 8. Idem.

Thus Cromwell, whoſe birth ſeemed to have placed him at an infinite diſtance from ſovereignty, found means to be inveſted with the ſupreme power. When the proceedings of the long parliament againſt the late king, the methods uſed to effect his ruin, their obſtinate refuſal of peace without the abolition of epiſcopacy and reduction of the regal power, the policy of the independents in concealing themſelves many years among the preſbyterians, and in not diſcovering themſelves, till the king was unable to hurt them, their artifices to gain the army, their tyranny againſt the preſbyterians and the king himſelf, and laſtly, Cromwell's early adherence to that party, (when theſe things I ſay) are conſidered, one is apt to believe, the project of his advancement was formed from the beginning of the long parliament, and that the ſubſequent tranſactions flowed ſolely from that project. Accordingly this is inſinuated by ſome, their aim being to ſhow, that Charles I. was perſecuted only to render that project the more practicable. But when it is conſidered, on the other hand, that it was almoſt impoſſible for Cromwell to have any ſuch views, at a time when he had but little credit, and was ſcarce known in the parliament; that his reputation increaſed by a ſeries of contingent events entirely out of his power, and by battles which he might have loſt, it is difficult to believe, he could have formed ſuch a deſign before his victory at Worceſter. He had, very probably, even before that battle, his own advancement in view, but not to the ſupreme power. There were in his party men of too great a penetration not to diſcover ſuch a deſign, had it been entertained

Clarendon, III. p. 379. Reflections upon Cromwell's advancement.

tertained by him. But as they thought not of his ruin till after that victory, very likely, his deſigns were not ſooner perceived, and that it was only from that time, or perhaps not ſo early, that he began to ruminate on his grand project. For being then general, he had leſs way to go, than if he had formed the deſign while he was but lieutenant general [d]. 1653.

[d] Cromwell ſaid to Mr. Bellievre: L'on ne montoit jamais ſi haut, que quand on ne ſcait ou l'on va. That is, a man never riſes ſo high, as when he knows not where he is going. Retz, Mem. tom. III. p. 385.

THE

THE HISTORY OF ENGLAND.

BOOK XXII.

PART II.

OLIVER CROMWELL, *Protector.*

THE peace between England and the United Provinces was at laſt concluded, and the treaty ſigned the 5th of April 1654. By the treaty Cromwell made great advantage of the neceſſity the ſtates were under to make peace. They could not obtain it without promiſing to pay large ſums for the damages done to the Engliſh thirty years ſince [a]. They conſented to ſtrike to the ſhips of the commonwealth, as they had before done to thoſe of the king. They entirely abandoned the inte- 1654.

Peace concluded between England and the United Provinces. Collect. of treaties, t. III. p. 67. Clarendon, III. p. 382.

[a] To deliver up the iſland of Poleron in the Eaſt Indies, taken from the Engliſh in the reign of king James, and to pay, it is ſaid, three hundred thouſand pounds for the affair of Amboyna (85,000 l. whereof to the Engliſh Eaſt India company) for which the two laſt kings could never get any ſatisfaction. Clarendon, tom. III. p. 382. The ratifications of the peace were preſented in a ſilver box to the protector. Whitelock, p. 588. Collect. of treaties, tom. III. p. 384.—The demands of the Engliſh amounted to two millions, ſix hundred ninety five thouſand, nine hundred ninety nine pounds, fifteen ſhillings. And thoſe of the Dutch to two millions, ſixty nine thouſand, eight hundred ſixty one pounds, three ſhillings and ſixpence. Ibid. p. 127, 130.

reſt

1654. reſt of Charles II. and obliged themſelves to receive no exile from England into their dominions. They promiſed to reſtore to the Engliſh twenty two merchant ſhips confiſcated by the king of Denmark, or to pay their full value. In this treaty I find no mention of the navigation act, which had been the cauſe of the war [b]. It is likely, either that article was adjuſted in a private and particular treaty, or the ſtates were contented with a bare promiſe, that they ſhould not be
May 5. diſturbed on account of that act. Laſtly, by a ſeparate article the ſtates bound themſelves never to admit the young prince of Orange to be their ſtadtholder, general, or admiral. But this article was ratified only by the province of Holland, the other provinces refuſing it, and Cromwell not judging it proper to continue the war to force them to it. Thus ended a war which had been very warm on both ſides, and inexpreſſibly deſtructive to both nations. It is ſaid, the two provinces of Holland and Zealand loſt in it fifteen hundred ſhips, which fell into the hands of the Engliſh. And this very war, which had been undertaken to ruin Cromwell, ſerved to advance him, as it obliged him to diſſolve the parliament for his own preſervation.

Though the new protector met with a general ſubmiſſion, it was however with pretty open complaints of his uſurping the ſupreme power by a pretended title conferred on him by men without authority. The royaliſts conſidered Cromwell's advancement as a mortal wound to the king. The preſbyterians were not much more pleaſed with it: for though their government ſtill ſubſiſted in the church, they could hardly endure the liberty of conſcience enjoyed by all the proteſtants. Beſides, they were excluded from the beſt poſts, which it was Cromwell's care to fill with men of approved fidelity to himſelf. The preſbyterians were nevertheleſs careſſed by him, becauſe their aſſiſtance was needful to accompliſh his project of being confirmed in his dignity by a free parliament, where he foreſaw they would have conſiderable influence. But he hated the cavaliers, and kept them very low. This occaſioned many conſpiracies againſt him, the authors of which were rigorouſly puniſhed [c], particularly mr. Vowell and mr. Gerard [d], the firſt of whom

Cromwell draws many enemies upon himſelf. Clarendon, III. p. 363.

Id. p. 384. Conſpiracies againſt him, and the authors ſeverely puniſhed. Id. p. 384. Phillips.

[b] The author of Cromwell's life, ſays, one of the articles was, "That "the Dutch ſhould comply with the "act of navigation," p. 280.

[c] There was a high court of juſtice erected on purpoſe, "to try ſuch as "were accuſed of holding a correſpondence with Charles Stuart, and "of having a deſign againſt the life of "the protector, &c." Clarendon, t. III. p. 383.

[d] Rapin calls him colonel, but he was a young gentleman, and had been only enſign in the king's army. Ibid.

was

was hanged in London, and the other beheaded in the Tower. 1654.

At the ſame time, and upon the ſame ſcaffold, Don Pantaleon Sa, knight of Malta, and brother of the Portugueſe ambaſſador, loſt his head. That gentleman having quarrelled with the ſame mr. Gerard on the New Exchange, returned next day with a ſtrong retinue. Unhappily, he ſingled out a man in the crowd whom he miſtook for Gerard, and entering into a new quarrel, killed him, and others were wounded by his ſervants; after which, he retired to his brother the ambaſſador's. This tumult drew the people together, who ſurrounded the ambaſſador's houſe, and threatened to drag the criminals to juſtice. Cromwell being informed of it, diſpatched an officer, with ſome ſoldiers, to demand the murderers. The ambaſſador loudly complained of the inſult offered him, and demanded an audience of the protector, but was refuſed, and told, that if the criminals were not delivered, the people would not be eaſily appeaſed, nor could the protector anſwer for the conſequences: that as a man had been killed, and ſeveral wounded, juſtice muſt be ſatisfied. In the mean time, the people continued their noiſe and menaces; ſo that the ambaſſador, ſeeing himſelf too weak to reſiſt, was at laſt forced to deliver up his brother, and the reſt that were concerned, in expectation of afterwards obtaining their pardon. But Cromwell continuing inflexible, the Portugueſe gentleman was beheaded in the Tower, and his accomplices hanged at Tyburn. I pretend not to decide, whether this act of juſtice could be done, without a violation of the privilege of ambaſſadors, or whether Cromwell had not done better, in conniving at the priſoner's eſcape. I ſhall only ſhew very briefly, that the preſent juncture was not favourable to the ambaſſador or the king his maſter.

The brother of the ambaſſador from Portugal beheaded. July 10. Clarendon, III. p. 385. Bates. Whitelock, p. 569.

Don John IV. king of Portugal, formerly duke of Braganza, had, in 1640, ſeized the crown of Portugal, pretending, it was unjuſtly wreſted from his anceſtors by Philip II. of Spain. This had engaged him in a fierce war with Spain, during which Charles I. had, in a treaty ſigned at York, the 22d of May 1642, owned him for king of Portugal. Thus the two crowns of England and Portugal were in peace and alliance, before the war between Charles and the parliament was declared. Upon this foundation, the two princes palatine, Rupert and Maurice, the firſt of which commanded the king's navy, being obliged in 1650, to leave Ireland, where they could no longer continue in ſafety, ſailed into

Occaſion of the embaſſy from Portugal.

Clarendon, III. p. 262, 263, 264. Bates.

1654. into the river of Liſbon. They were no ſooner there, than a fleet from the parliament arrived in the mouth of the Tagus, and immediately the admiral required of the king of Portugal the delivery of the ſhips commanded by prince Rupert, ſaying, they belonged to the commonwealth of England. This demand extremely embarraſſed the king. He had made an alliance with the king of England; but on the other hand, England was the king's enemy, and in that juncture, Don John was under a neceſſity of declaring for one or the other. Policy required a declaration for the parliament, but honour and hoſpitality demanded a protection for the king's ſhips, which were come for refuge to Portugal. This queſtion was warmly debated in his council. The majority adviſed him to relinquiſh a king, expelled his dominions, who could do him neither good nor hurt, and thereby gain the friendſhip of a powerful commonwealth, from which he might expect great aſſiſtance againſt Spain: whereas, in declaring againſt the parliament, he would perhaps engage himſelf in freſh difficulties, at a time when all his forces were hardly ſufficient to reſiſt his enemies. But the king, by his reaſons and authority, cauſed it to be decided, that the king of England's ſhips ſhould be protected. Purſuant to this reſolution, a ſquadron was immediately equipped of thirteen men of war, to join prince Rupert's. The two ſquadrons ſailed together with deſign to fight the Engliſh, if they were between the two capes [e]. For the Portugueſe ſquadron had orders to ſail no further, that it might appear, the king intended only to ſecure the entrance of the Tagus. Upon notice of this junction, the Engliſh admiral ſailed away. But to be revenged for the protection granted to prince Rupert's, he fell upon a Portugueſe fleet returning from Brazil, and took fifteen ſhips. The approach of winter obliging him to return to England, the two princes palatine ſailed to America, after cauſing a ſort of rupture between England and Portugal. To adjuſt this difference, the king of Portugal had ſent to London the conde de Penaguaio; his circumſtances, during a war with Spain which had now laſted thirteen years, not ſuffering him to remain in a ſtate of hoſtility with the commonwealth of England. Probably, for the ſame reaſon he did not think proper to recall his ambaſſador, after the execution of Don Pantaleon Sa. I do not know whether this accident did not re-

Clarendon, III. p. 263, 264.

[e] Cape Finiſterre, and cape St. Vincent.

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tard the peace between England and Portugal, which was not ſigned till two years after in 1656 [f]. 1654.

Since Charles II's arrival in France, after his miraculous eſcape from the battle of Worceſter, he had lived in extreme want, not having wherewithal to ſubſiſt. The court of France took no notice of his neceſſities, whether in complaiſance to Cromwell, or from a deſire of making a ſtrict alliance with him, or through dread of his declaring in favour of Spain. So, the king was in a melancholy ſtate. He had even the mortification to ſee monſieur de Bourdeaux, who till then had been his reſident in England, appointed ambaſſador by the French court [g], upon Cromwell's being declared protector. This alteration convinced the king, that France deſigned an alliance with Cromwell, and he did not doubt but the treaty would be followed with a requeſt to him to depart the kingdom. Wherefore, to prevent this compliment, he let cardinal Mazarin know, that he intended to withdraw, which was welcome news to the cardinal. To facilitate the execution of this deſign, the cardinal promiſed him the arrears of a penſion of ſix thouſand livres a month, which had been granted him, but never regularly paid, and the continuance of the ſame, as long as he ſhould be out of France. At the ſame time, the king received another ſmall relief, which enabled him to diſcharge his debts. Prince Rupert arrived ſafely at Nantes with the fleet, after having loſt his brother Maurice in a ſtorm. Beſides that the ſhips were extremely damaged, and the king unable to repair them, he was in great want of money, which determined him to ſell the ſhips, with the ordnance and tackling. Cardinal Mazarin was the purchaſer, though at a very cheap rate, if we may believe the lord Clarendon, and paid him the money without delay. After that, prince Rupert repaired to Paris, and taking leave of the king, withdrew into Germany. The king, as ſoon as he had received the money, left Paris, and choſe Cologne for his retreat, where he continued many years.

The king's condition in France. Clarendon. III. p. 393, 407. Whitelock, p. 584.

Clarendon, III. p. 339, 408.

Prince Rupert arrives in France. The king ſells the ſhips he brought. The prince withdraws into Germany, and the king retires to Cologne. Clarendon, III. p. 400—422.

The king, before his departure from France, ſent Wilmot, now earl of Rocheſter, ambaſſador to the emperor, and ſome other princes of Germany, to procure a ſupply of money. He even applied to the pope, by the mediation of cardinal de Retz, and it is pretended, that in order to ſuc-

p. 393, 394.

p. 246, 247.

[f] It was ſigned July 10, 1654. See Collect. of treaties, tom. III. p. 97. Life of Cromwell, p. 288.

[g] He made his entry into London in great ſtate, being attended with no leſs than ſixty coaches. Whitelock, p. 584.

1654. ceed, the cardinal prevailed with him to change his religion, and privately received his abjuration. At leaſt, dr. Burnet, in the hiſtory of his own times, aſſures, that the king embraced the catholick religion before he left France, where he returned no more, after the time I am ſpeaking of. But others, who think themſelves better informed, aſſign this change of his religion to the year 1659.

p. 73, 74. Whitelock, p. 579.

While the king was in this ſtate of adverſity, Cromwell was honoured, reſpected, and feared by all the powers of Europe, who equally courted him. In England, his enemies durſt not look up; Scotland was entirely ſubdued, and Ireland reduced to the laſt extremity. But before I return to the affairs of England, it will be neceſſary briefly to relate what paſſed in Ireland and Scotland, to midſummer 1654.

Affairs of Ireland. Ludlow. Bates. Clarendon, III. p. 333, 334, 335.

Since Cromwell had left Ireland in 1650, Ireton his ſon-in-law, who commanded there as his deputy, treated the Iriſh rebels, who fell into his hands, with great ſeverity, the parliament having ordered no mercy to be ſhown to the maſſacrers. But this was not capable to lead the Iriſh to an union with the marquis of Ormond. On the contrary, a religious zeal prevailing among them, by the perſuaſions of their monks and clergy, they could not bear to be under a proteſtant commander. Nay, they conſpired againſt the life of the marquis, and in an inſurrection at Limerick, raiſed by a monk, he was in danger of being killed. At laſt, the Iriſh biſhops, in a full aſſembly, publiſhed a declaration, proteſting, they would have no communion with hereticks, nor obey the marquis of Ormond. Then, they required him to reſign his command to a catholick, on whom they could better rely. The marquis being thus expoſed to the ſuſpicions and treacherous deſigns of the Iriſh, and utterly unable to reſtore the king's affairs, made the marquis of Clanrickard his deputy, and retired into France, from whence, afterwards, he accompanied the king to Cologne.

p. 336.

The marquis of Ormond leaves Ireland.

p. 337.

Ireton's death. p. 362. Ludlow.

Ireton dying of the plague in 1651, the parliament gave the command of their forces in Ireland, to lieutenant-general Edmund Ludlow, a great republican, and one of Charles the firſt's judges.

The duke of Lorrain invited by the Iriſh to accept their government. Clarendon, III. p. 363.

The Iriſh were not more obedient to Clanrickard than to Ormond. The catholick Clergy, and all Ulſter, refuſed to have any ſociety with the Engliſh, under the command of the marquis, though a catholick. It was ſufficient that he had received his commiſſion from a proteſtant, to render him odious. A certain number of men were therefore choſen to

form a council for the adminiſtration of their affairs. This council judged it expedient to call to their aſſiſtance a foreign catholick prince, who might be capable to conduct them, and put him in poſſeſſion of the government of their iſland. They caſt their eyes on the duke of Lorrain, then at Bruſſels, and reſolved to ſend deputies to treat with him. This reſolution being taken, they demanded of the marquis of Clanrickard a commiſſion for the deputies, fearing, they would be ill received, if not authorized by the king's governor in Ireland. But the marquis refuſed to give ſuch a commiſſion, till he knew the king's pleaſure. This refuſal inflamed their animoſities againſt him. He was exclaimed againſt with great bitterneſs, and their deputies were ſent notwithſtanding his oppoſition [h]. The duke of Lorrain judged it not proper to engage in ſuch an undertaking, without better information of ſome particulars, which it concerned him to know. He ſent a certain abbot into Ireland, who having learned, that the affairs of the Iriſh were almoſt deſperate, and this reſolution taken without the conſent of the king's lieutenant, refuſed to treat with them. The Iriſh, enraged with the marquis of Clanrickard for oppoſing their deſign, perſecuted him ſeveral ways, and at laſt, treated with Ludlow, by means of a certain monk, without the marquis's privity, who ſeeing himſelf unable to ſerve the king, informed him of what paſſed, and deſired leave to retire. The king readily granted his requeſt, as ſeeing no way to ſave Ireland, and left the Iriſh to their own meaſures, whoſe affairs from that time daily grew worſe.

1654.

Bates.

Clarendon, III. p. 363.

Rejects the offer. Id. p. 366.

It was then, and in the following years, that the Iriſh wholly unable to reſiſt the parliament forces, were expoſed to the utmoſt ſeverity of the Engliſh commanders. The barbarity they had exerciſed upon the Engliſh proteſtants, ſettled in Ireland, was juſtly retaliated upon them. Many were executed, and others, to the number of a hundred thouſand, moſt of whom periſhed with hunger and miſery, had leave to go into the ſervice of foreign princes. The families which remained in the country, were for the moſt part, removed into Connaught, where ſome lands were aſſigned them for their ſubſiſtence, while the reſt was delivered to the adventurers, who advanced money for the Iriſh war.

Bates.

[h] The lord Clarendon ſays, after he had been inveighed againſt with great virulency, he could not withſtand the importunity of the aſſembly of confederate catholicks, but gave his credentials to the perſon recommended to him. However, the commiſſioners were reſolved to follow the inſtructions of the aſſembly, and not the marquis's. Clarendon, t. III. p. 364.

1554. Part alſo of theſe confiſcated lands was given to the officers and ſoldiers in payment of their arrears, and part was ſold to the beſt bidders. From that time, the nation has been kept ſo low, that there is no appearance of its ever recovering. In 1654, Fleetwood, who had married Ireton's widow, Cromwell's daughter, was made governor of Ireland, and two years after, was ſucceeded by Henry Cromwell, younger ſon of the protector.

Sept. 19. Whitelock.

Affairs of Scotland. Though Scotland was ſubdued, it was not entirely free from diſturbances. The general aſſemblies of the kirk had been ſuppreſſed by Cromwell, knowing, that from thence flowed all the troubles which had been for ſo many years in Scotland. Beſides, as it was his intention to introduce in that kingdom a liberty of conſcience as well as in England, he knew, it would be impoſſible to execute his deſign ſo long as theſe aſſemblies ſubſiſted. The people of Scotland were enraged at a liberty ſo contrary to their covenant, and the maxims of the kirk. They ſufficiently diſcovered their ſentiments, though to no purpoſe, ſince they had neither places, nor forces, nor arms, nor leaders, to enable them to attempt a deliverance. On the other hand, ſome lords and gentlemen of the king's party ſtill kept in the high lands, with troops under the command of the earl of Glencarn. But theſe troops, neither well armed nor diſciplined, were defeated by colonel Morgan [1]. Nevertheleſs, with the remains of their troops, they ſtill kept in ſome inacceſſible places, where it was impoſſible to attack them. But at laſt, diſcord ariſing among them, they were forced to ſend to the king for colonel Middleton and obtained his conſent. On Middleton's arrival, Glencarn quitted them, and made his own peace. Middleton ſupported the remains of this party about a year, and then was obliged to forſake it, ſeeing it was not poſſible to do the king any notable ſervice in that country. It is time now to return to the affairs of England.

Clarendon. III. p. 394, 395. Bates. Burnet. p. 58. Whitelock. Phillips. Heath. Whitelock, p. 597.

Cromwell calls a parliament. As, by the inſtrument of government, a parliament was to aſſemble the 3d of September, Cromwell called one for that day. But in his writs for election of members, there was a ſtrict order not to elect any perſons, or their ſons, who had borne arms for the king; and this was punctually obeyed. A new regulation was likewiſe made to proportion the num-

Clarendon, III. p. 386. Whitelock, p. 591. Phillips.

[1] The Scots had eight hundred horſe, and three thouſand foot; and Morgan eight hundred and fifty horſe, and ſixteen hundred foot. Whitelock, p. 588.——The Scots ſent an invitation to king Charles to come among them, but he did not think proper ſo to do. Burnet, p. 60.

ber of repreſentatives to the largeneſs of the burroughs and counties, and to their reſpective ſhares of the publick expences. This regulation, as being very juſt in itſelf, met with univerſal approbation [k]. 1654.

The parliament being aſſembled, Cromwell made a ſpeech in the Painted Chamber, where the houſe waited on him. He briefly touched upon the diſorders of the preceding government, and endeavoured to juſtify the preſent eſtabliſhment. After an aſſurance of his good intentions, he repreſented to them his ſervices for the nation, ſince the diſſolution of the long parliament, and told them, he had called a free parliament, agreeably to the deſire of all good Engliſhmen: adding, that he did not ſpeak to them as one that would be a lord over them, but as one that would be a fellow ſervant, in the great affair of ſettling the government. His ſpeech to it, Septemb. 4. Clarendon. III. p. 387. Whitelock, p. 599.

Cromwell hoped, this parliament, free indeed, excepting the excluſion of the royaliſts, who could not have been admitted with ſafety, would confirm his protectoral dignity, and that the confirmation of a free parliament, would ſtop the mouths of his enemies. Upon his own recommendation, Lenthal, ſpeaker of the long parliament, was choſen again to that poſt. It appeared very ſoon, that the parliament had many members who were enemies of tyranny, and having ſerved in the long parliament, had imbibed maxims very contrary to thoſe eſtabliſhed by Cromwell. The firſt thing propoſed, was to examine by what authority they were aſſembled; a queſtion unexpected by Cromwell. In all appearance, his enemies deſigned to give him a mortal blow, by a deciſion that his authority was imaginary and illegal, as indeed it was. Perhaps too, the parliament intended to ſeize the ſovereign power, though convened by an unlawful authority. Cromwell himſelf had given them an inſtance of what could be done with the aſſiſtance of force. But as he Lenthal made ſpeaker. Clarendon, III. p. 387. Whitelock. Cromwell's power queſtioned. Clarendon, III. p. 383

[k] By the 9th and 10th articles of the inſtrument of government (which ſee in Whitelock, p. 552.) it was provided, that the perſons to be choſen in England and Wales, ſhould not exceed four hundred. Thoſe for Scotland and Ireland (for the three kingdoms united in one commonwealth, and the iſles of Jerſey and Guernſey were alſo included) were to be thirty for each kingdom. Then the perſons to be choſen in England and Wales were to be in a certain proportion there ſet down at large. A proportion, which it would have been well for England, had it been always obſerved, the little inſignificant boroughs being omitted, and the number of the knights of the ſhire increaſed from four to twelve, according to the extent of the county. This (ſays the lord Clarendon) was then generally looked upon as an alteration fit to be more warrantably made, and in a better time. Tom. III. p. 387.

1654. had friends, as well as enemies, in the houſe, he found means to make them loſe time, by the oppoſition they met with, from the officers and others who eſpouſed his intereſt, whether through friendſhip or fear. So though he could not hinder the frequent debates on this queſtion, he gave his enemies cauſe to apprehend, that they ſhould not carry it, when it came to be decided. At laſt, perceiving they only waited a favourable opportunity to put the queſtion, he ſent for the members to meet him in the Painted Chamber. Though in his firſt ſpeech he told them, that he would only be their fellow ſervant, in this he ſpoke as their lord, and told them, they were too free in calling an eſtabliſhed government into queſtion, from which themſelves had derived their authority, ſince if they were not lawfully convened, they had no power to debate. At their return to the houſe they found a guard at the door, refuſing entrance to any perſon, who would not firſt ſign an engagement in theſe words—— "I A. B. do hereby freely promiſe and engage myſelf, to be "true and faithful to the lord protector, and to the com- "monwealth of England, Scotland, and Ireland, and ſhall "not (according to the tenor of the indenture, whereby I "am returned to ſerve in this preſent parliament) propoſe "or give any conſent to alter the government, as it is "ſettled in one ſingle perſon and a parliament." Many refuſing to ſign this engagement, were excluded from the houſe [l].

He ſpeaks to the houſe with heat and reſentment. Bates. Clarendon, III. p. 389. Whitelock. p. 605.

Excludes ſeveral members. Whitelock.

Notwithſtanding all this, the members themſelves, who had ſigned the engagement, were not more tractable, and ceaſed not to ſhow their ill will to Cromwell. They had only ſigned to have it in their power to deſtroy him, when a favourable occaſion offered, which they hoped would not be long. A plot was formed chiefly by the cavaliers, but with the privity of many members of parliament, to raiſe an army in ſeveral parts of the kingdom. Cromwell being informed of it by his ſpies, prevented the deſign of his enemies, by a diſſolution of the parliament eleven days before the time fixed for its continuance, by the inſtrument of government [m], namely, on the 22d of January. At the diſſo-

1654-5.

Diſſolves it. Clarendon, III. p. 389. Whitelock, p. 618.

[l] This year (on November 30) died the learned John Selden.—— As ſo mr. Dodderidge, who had the chief hand in compiling the Monaſticon Anglicanum. And Henry Elſynge, clerk of the long parliament.

[m] By the VIIIth article of the inſtrument of government, the parliament was not, during the ſpace of five months, to be accounted from the day of their firſt meeting, to be adjourned, prorogued, or diſſolved, without their own conſent. Whitelock, p. 572.

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lution he told the members, he was not ignorant of their projects, and that ſeveral were engaged in a conſpiracy againſt the government [n]. 1655.

It was not without foundation that he mentioned a conſpiracy, which was now ready to open. Though he was not informed of all the particulars, he knew, however, in general, that an inſurrection was intended in ſeveral places, and had the names of ſome that were to be the principal actors. Two days after the diſſolution of the parliament, major Wildman was arreſted by his order, and a declaration was found in the houſe, containing the reaſons which obliged the Engliſh to take up arms againſt Cromwell [o]. Some others, as well republicans as royaliſts, were alſo apprehended. Plots againſt the protector. February 13. Clarendon, III. p. 389, 390. Whitelock, p. 618.

Since the king's retreat to Cologne, he had received frequent expreſſes from his friends, informing him of the general diſlike of Cromwell's government, and of the favourable opportunity for a general riſing. What they ſaid concerning the general diſcontent, was very true. But they built upon a falſe principle, which had often deceived Charles I. and now likewiſe deceived them. They imagined, that all who were diſpleaſed with the government were diſpoſed to ſerve the king, and reſtore him without any condition. Indeed, the preſbyterians would have gladly reſtored the king, provided it was on the terms granted by the king his father in the treaty of Newport, that is, with the limitation of the royal power, and the eſtabliſhment of the preſbyterian government in the church. But it was not likely, Charles II. being at liberty, would grant the ſame conditions as were accepted by Charles I. under confinement. On the other hand, it is alſo true, that in general, the independents, anabaptiſts, and in a word, all the zealous republicans, were enemies of Cromwell ſince his ſeizing the government, and that in the army itſelf there was a ſtrong party againſt him. But nothing was farther from theſe men's thoughts, than the king's reſtoration, and yet the royaliſts imagined, all Cromwell's enemies would ſtrive to reſtore the king to the throne, as if there was no poſſibility of being enemy to the protector, without being A deſign laid for two inſurrections. Whitelock, p. 415, 419, 429. Error of the royaliſts.

[n] See his long ſpeech in Whitelock, p. 610.——613. He ſays, the parliament was diſſolved January 31. p. 610.——Before their diſſolution they voted him and his ſucceſſors, a revenue of two hundred thouſand pounds a year, p. 609.

[o] The title of it was, "The declaration of the free and well affected people of England, now in arms againſt the tyrant Oliver Cromwell, eſq;" See it in Whitelock, p. 618, who ſays, "many who viewed it, knew there was too much truth in it."

1655. devoted to the king. Upon this foundation it was, that they formed the project of an inſurrection in the weſt, and of another in the north, not doubting of the army's joining, or at leaſt ſuffering the cavaliers to act undiſturbed againſt Cromwell. This project was communicated to the king, who approved of it as well as of the day appointed for the execution, namely the 18th of April. The king diſpatched the neceſſary commiſſions, and privately came into Zealand to be ready to paſs into England if the undertaking ſhould be crowned with ſucceſs. At the ſame time, Wilmot earl of Rocheſter repaired ſecretly to London [p], with ſir Joſeph Wagſtaff, who had been major general in the army of the late king. At London their friends were conſulted, and it was reſolved, Wagſtaff ſhould conduct the inſurrection which was to be in the weſt, and the earl of Rocheſter that in the north [q].

Clarendon, III. p. 429.
p. 431.
p. 432, 433.

On the day appointed, Wagſtaff came within two miles of Saliſbury, where he found Penruddock, a Corniſh gentleman, Jones, Grove, and ſome others, who had aſſembled about two hundred horſe. With this ſmall force, they entered Saliſbury without any oppoſition. For as it was then the time of the aſſizes, little notice was taken of thoſe who entered the city. The market-place was immediately ſeized, and all the ſtables locked up, that the horſes might be at their devotion. After this, the judges were ſeized, with the ſheriff, and were in great danger of being hanged for their refuſal to proclaim the king, who notwithſtanding was proclaimed. But ſoon after, the conſpirators perceiving, that the inhabitants remained in their houſes, without offering to join them, they were diſcouraged, and leaving the town, took the weſtern rout. A troop of horſe, accidentally quartered in the neighbourhood, purſued and inſpired them with ſuch terror, that at their approach, they laid down their arms. Wagſtaff fortunately eſcaped; but Penruddock, Grove and Jones were taken. The two firſt were beheaded, and the other hanged [r]. Notwithſtanding the great hopes conceived by the royaliſts of a general riſing throughout the kingdom, the people no where attempted to favour the enterpriſe. It is impoſſible to know what would have

Saliſbury ſurpriſed, March 11. Ibid. Whitelock, p. 620. Phillips.
Clarendon, III. p. 434, 435. Whitelock. The conſpirators defeated. Three of them executed. May 16. Ibid.

[p] For fear ſomebody ſhould be general before him, in caſe the plot ſucceeded. Clarendon, tom. III. p. 431.

[q] He ſent ſir Marmaduke Darcy, a gallant gentleman, and nobly allied in thoſe parts, to prepare the king's party there. Ibid. p. 433.

[r] Others ſay, Jones was reprieved. Rapin, by miſtake ſays, Grove was hanged, but he was beheaded at Exeter, with Penruddock. Clarendon, t. III. p. 435.

been

been the behaviour of the army, ſince there was no neceſſity of their being aſſembled, this affair being ended in two or three days. One may here remark, what commonly happens on theſe occaſions, namely, that the contrivers of ſuch projects, keeping company for the moſt part with only men of their own party, are apt to believe the whole nation to be in the ſentiments of thoſe with whom they converſe, wherein they are frequently miſtaken. This was, as it were, the peculiar weakneſs of the royaliſts, of which the earl of Clarendon's hiſtory furniſhes various inſtances. 1655.

The inſurrection in the north vaniſhed before it was begun to be executed. The earl of Rocheſter repaired to the county of York, where he found ſome gentlemen zealous for the king's ſervice. But after an inquiry into what they could perform, he thought it not proper to make any attempt, but returned to the king with an account of what had paſſed. The deſign in the north comes to nothing. Clarendon, III. p. 436.

The king, having loſt the hopes he had been made to conceive, returned to Cologne. Soon after his arrival, it was diſcovered, that one of his domeſticks, named Manning, lately come from England, held a ſecret correſpondence with Thurlo, Cromwell's ſecretary, and acquainted him with the tranſactions of the king's court. He was apprehended and ſhot to death in a caſtle belonging to the duke of Newburg. It is now time to ſpeak of Cromwell's affairs with France and Spain. *Manning.* Cromwell's ſpy, executed Clarendon, III. p. 437 ——443. Phillips.

In the reign of Charles I. cardinal Richelieu, as hath been ſaid, was concerned in the troubles of Scotland in the year 1637, from which thoſe of England were afterwards produced. The court of France all along ſeemed to eſpouſe the intereſt of Charles I. during his life, but never gave him any real aſſiſtance. Cardinal Richelieu believed, that nothing could more advance his project of humbling the houſe of Auſtria, than to prevent England from aſſiſting Spain, in order to preſerve the balance of Europe, as the intereſt of England required. For this reaſon, that able miniſter, inſtead of aſſiſting Charles I. thought only of fomenting the troubles of England. Cardinal Mazarin his ſucceſſor, under the minority of Lewis XIV. followed the ſame maxim, and never gave any real aſſiſtance to Charles. But it may be ſaid, he carried this policy too far, ſince inſtead of keeping the ballance even between the king and the parliament, he gave the parliament room to acquire a ſuperiority, which might become very prejudicial to France. After the death of Charles I. the commonwealth of England grew ſo powerful, that it was too late to endeavour to weaken it, eſpecially *Affairs between France and England.*

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1655. as France was then engaged in a war with Spain. If France had assisted Charles II. she would have run the risk of seeing the parliament in alliance with Spain, which in that juncture was not to be hazarded. For this reason, the interests of Charles II. were entirely abandoned by France, and all his assistance from thence was a pension too inconsiderable for his subsistence. And even this was privately, lest the parliament should be jealous. The English feared her so little, that in 1652, their fleet made no scruple to attack that of France, sent to the relief of Dunkirk besieged by the Spaniards, and taken by them the same year. Notwithstanding that affront, France sent an ambassador to the parliament to desire their friendship. Cromwell, when advanced to the protectorate, held, for some time, the two crowns of France and Spain in suspence, equally flattering both kingdoms with hopes of the friendship of England. But it appeared afterwards, he only intended to amuse Spain, being resolved to make an alliance with France.

Clarendon, III. p. 359. Whitelock.

Affairs between England and Spain. Clarendon, III. p. 279, 288.

Spain had given no more assistance to Charles I. than France. On the contrary, Don Alenzo de Cardenas, the Spanish ambassador in England, had shewn a partiality for the parliament, which was considered by Charles as a sort of declaration against him. After the death of Charles I. the king of Spain paid great regard to the parliament, and gave them no just cause to make war upon him. All that England could reproach him with, was, his receiving, though very coldly, in 1649, lord Cottington, and mr. Hyde as ambassadors from Charles II. but without entering with them into any negotiation, that might create jealousy in the parliament. The sole design of this embassy was, to procure some money from the Spanish court for the king's subsistence, in which the ambassadors were unsuccessful. The murder of Ascham, the parliament's envoy at Madrid, by some Irish, and the little zeal shewn by the court of Spain to punish the murderers, might be another cause of complaint. But things of this nature are liable to so many discussions, that it is difficult to know, whether it was in the king of Spain's power to give the parliament an entire satisfaction. However that be, these causes of complaint did not seem of sufficient weight to breed a war between the two nations. Nevertheless, Cromwell, now made protector, had no sooner concluded a peace with Holland, than he resolved to attack Spain. The grounds of this war are not easy to be guessed [a], but what

Id. p. 235 ——295.

Id. p. 289.

Cromwell resolves upon a war with Spain.

Probable grounds of this war.

[a] It is probable, the chief motive of it was, that he might be able, with the help of Spanish gold, to carry on his design in England, without depending upon a parliament for money. Welwood, p. 100.

may

may be conjectured is this. Cromwell, as I obſerved, intended to be confirmed by a parliament, in his protectoral dignity received only from the officers of the army. It concerned him therefore firſt, to render ſome ſignal ſervice to the ſtate, in order to make his uſurpation paſs the more peaceably. Secondly, as Spain was then upon the decline, he believed perhaps, it would be eaſy to make ſome conqueſt upon that crown, which might render his protectorate famous, and ſhow the Engliſh that if he ſought to advance himſelf, it was in order to be more ſerviceable to the republick. Thirdly, it is likely, Mazarin was concerned in this reſolution, in order to give a powerful diverſion to Spain. 1655.

A deſign upon St. Domingo. Clarendon. III. p. 452, 453. Bates. Whitelock. Burnet. Phillips. Ludlow.

However this be, Cromwell on his advancement to the protectorſhip, ſent out two fleets, one under the command of Blake, to the Mediterranean to chaſtiſe the Algerines, who frequently took Engliſh veſſels, and the other under Penn, with thirty ſhips, and about five thouſand land ſoldiers commanded by Venables [t]. The two laſt commanders had ſealed orders from Cromwell, which were to be opened at a prefixed time [u]. This fleet ſailed from Portſmouth the 27th of December, and arrived at Barbadoes the 28th of January, from whence they ſailed again the 30th of March 1655. By the ſealed orders, the two commanders were to proceed to Hiſpaniola and take St. Domingo the capital of the iſland. Cromwell's inſtructions for this undertaking were ſo particular and circumſtantial, that they appeared to be drawn by men thoroughly acquainted with the country [w]. At the approach of the Engliſh fleet the Spaniards abandoned St. Domingo. But Venables, inſtead of landing his troops [x], according to his inſtructions, within a mile of the place, diſembarked them at a much greater diſtance [y]. This gave the inhabitants time to come to themſelves, return to the town, and put it in a poſture of defence. The Engliſh, when they approached Domingo, were ſo fatigued, by a

April. Whitelock.

Miſcarries.

[t] A gentleman of a good family in Cheſhire. Clarendon, tom. III. p. 451.

[u] People could not imagine where the fleet was to go. 'Some fancied it was to rob the church of Loretto, which occaſioned a fortification to be drawn round it: others talked of Rome itſelf; others of Cadiz, &c. Burnet p. 75.

[w] 'Tis ſaid Thomas Gage, who had been a prieſt, and was come from the Weſt-Indies, engaged him in this deſign, by giving him an account of the weakneſs as well as riches of the Spaniards in thoſe parts. Burnet, p. 74. Whitelock, p. 621.

[x] Venables had in all, reckoning the forces he took up at Barbadoes, above nine thouſand men; with a troop of horſe. Clarendon, tom. III. p. 453.

[y] Ten leagues more weſtward. Whitelock, p. 627.

long

1655. long march, by the exceſſive heat, by hunger and thirſt, that they were eaſily repulſed, and forced to retire to their ſhips, leaving many dead and wounded in the iſland.

Conqueſt of Jamaica. May 17. Clarendon, III. p. 454. Whitelock.

This attempt miſcarrying, the Engliſh fleet ſailed to Jamaica, and ſeized the iſland with little oppoſition. Some troops were left there, which were afterwards reinforced by Cromwell, in order to preſerve this conqueſt, where the Engliſh have ſince eſtabliſhed a rich colony. Venables was ſent to the Tower on his return to London, but ſoon diſcharged. The war being ſufficiently declared by this attempt which the Spaniards had no cauſe to expect, the king of Spain ordered the effects of the Engliſh merchants in all his dominions to be ſeized, which was a very conſiderable loſs to them. Nor did the miſchief ſtop there; for by this war ſo unjuſtly undertaken, the Engliſh forfeited the Spaniſh trade, which transferred to the Dutch, helped them to repair the loſſes ſuſtained in the laſt war.

The king of Spain ſeizes the effects of the Engliſh merchants. Ibid. R. Coke.

Peace made with France. October 23. Clarendon, III. p. 455. Whitelock. Phillips.

The war with Spain was ſoon followed by a peace with France, proclaimed at London the 23d of October. This peace was eaſily made, ſince France was willing to forget the injury received from the Engliſh in 1652. The point was only to renew the ancient treaties, to which there was no obſtacle, after Cromwell's declaration againſt Spain [z].

Cromwell ſurrounded with enemies. Burnet. p. 65.

Beſides the inſurrections and conſpiracies from the cavaliers and preſbyterians, Cromwell was alſo in danger from the malecontents of his own party, who had effectually ſerved him, without knowing what were his deſigns, but who were extremely provoked at their having been tools to his private ambition. The republicans were incenſed againſt him. The republican government was as much their idol as the covenant was that of the preſbyterians. So Cromwell by being inveſted with the protectorſhip, had offended them no leſs than the cavaliers and preſbyterians. It was not eaſy to curb three parties, which, if they could have reſolved to unite, would have been ſtrong enough to ruin him. But he knew ſuch an union was very difficult, and

z This confederacy was dearly purchaſed on the part of England, for by it the ballance of the two crowns of France and Spain was deſtroyed, and a foundation laid for the future greatneſs of the French, to the unſpeakable prejudice of all Europe in general, and of the Engliſh nation in particular, whoſe intereſt it had been hitherto accounted to maintain that equality as near as might be. Ludlow, tom. II. p. 559.—It is very remarkable, that, in this treaty, Cromwell would not allow the French king to call himſelf king of France, but of the French; when he himſelf aſſumed the title of protector of England and France. And, what is more, in the inſtrument of the treaty, Cromwell's name was put before the French king's. Welwood, p. 99.

yet

yet it was not impoſſible, that particular men of each party, whether openly or privately, might combine for his deſtruction. The army was his only ſupport, in which too there were republicans who hated him mortally, as appears in the memoirs of Ludlow, one of the moſt inveterate againſt him. Nay very likely, if he had been obliged to aſſemble the diſperſed army, and the officers could have communicated their thoughts to one another, they would not have entirely obeyed him. As to the royaliſts, he never wanted pretences to perſecute them, which not only pleaſed the other parties, but was agreeable to their intereſts. As for the preſbyterians, as they were equally enemies of the cavaliers and independents, in keeping them low, he obliged theſe two parties, who knew if the preſbyterians ſhould again be ſuperior, they would treat them no better than Cromwell. But the rigid republicans were his moſt dreaded enemies, becauſe he had no pretence againſt them. They had the more cauſe to complain, and ſpeak freely, as Cromwell, being their head, had made uſe of them, under colour of acting for the publick, and brought them to labour for his own private advancement. So, to hold all theſe parties in ſubjection, he divided England into eleven diſtricts, and eſtabliſhed in each, officers, whom he called major-generals, with an almoſt abſolute power, that they might be always ready to prevent or diſperſe inſurrections. In this eſtabliſhment his principal view was to awe the republicans, though the pretence was to curb the cavaliers. Theſe major-generals became true tyrants, and ſo oppreſſed the people, that Cromwell at laſt was forced to reduce their power within much narrower bounds [a].

1655.

Conſtitutes major-generals. Octob. Clarendon, Id. p. 458. Whitelock. p. 634. Ludlow.

Though Cromwell's ambition inclined him to ſupport by force the dignity conferred on him, he ſaw the ridiculouſneſs of exerciſing an authority given by men who had no lawful power to beſtow it. He eaſily perceived it to be a fertile ſource of plots and conſpiracies againſt his perſon and government. There was no law by which he could puniſh

Reſolves to call a parliament. Clarendon, III. p. 460.

[a] Bates makes the number of diſtricts to be fourteen. The major-generals were, Kelſey, Goff, Deſborough, Fleetwood, Skippon, Whaley, Butler, Berry, Worſley, Lambert, Berkſtead, who was alſo lieutenant of the Tower. They had all the authority which was before divided among committee-men, juſtices of peace, and other officers. They could commit to priſon all ſuſpected perſons; levied monies; ſequeſtered thoſe who refuſed to pay; had power to liſt horſe and foot upon occaſion; and from them lay no appeal, but to the protector himſelf. Clarendon ſays, there were twelve. tom. III. p. 458.——This year died James Stuart, duke of Richmond, and the learned James Uſher, primate of Armagh.

the

1655. the conſpirators, ſince his dignity, far from having any ſolid foundation, was a mere uſurpation. On ſuch occaſions therefore it was neceſſary to uſe a tyrannical power, and ſuch violences might produce in the end very ill effects. To remedy this inconvenience, he had called a free parliament in expectation of having his authority confirmed, but was diſappointed. He reſolved therefore, inſtead of a free parliament, to call one, on which he might depend, and to uſe their authority to eſtabliſh his own.

1656. The parliament, according to the natural meaning of the word, is the repreſentative of the nation, whoſe deciſions and laws are looked upon as conformable to the ſentiments of the people in general. The extreme reſpect, veneration, and attachment which the Engliſh have for the parliament, are therefore not to be thought ſtrange, ſince in ſupporting its privileges, they maintain their own liberty. But this ſuppoſes a parliament agreeable to the conſtitution, compoſed of king, lords and commons, with an entire freedom in the elections. A parliament thus compoſed may truly be called the nation's repreſentative. It is unneceſſary here to obſerve, that artifices, intrigues and cabals have ſometimes altered this happy conſtitution. The frequent inſtances which have occurred in this hiſtory, render it unqueſtionable. We have ſeen parliaments regardleſs of their country's good, and devoted entirely to the will of the prince. By others, kings have been depoſed, and their ſovereigns deprived of their moſt lawful prerogatives, But without being obliged to look ſo far back, it needs only be conſidered, what paſſed in the late reign, particularly ſince December 1648. A parliament reduced by force and violence to leſs than a hundred members, brought the ſovereign to the ſcaffold, aboliſhed the houſe of lords, deſtroyed monarchy, changed the government into a commonwealth, and inveſted themſelves with a ſupreme authority, under the ſpecious pretence of repreſenting the nation, tho' without king and houſe of peers. Nevertheleſs, though the conſtitution of the parliament was entirely ſubverted, and though the name of parliament, one would have thought, ſhould not have deceived the people, that venerable name was ſtill uſed to force them to obedience, on a groundleſs ſuppoſition, that an aſſembly with only the name of parliament was inveſted with all the authority of the moſt legal parliament. Upon this foundation, theſe tyrants claimed a right to enact laws, to ordain, to decree, as the moſt regular parliament might have done. I ſhall not ſtay to ſhow the extravagance of this pretenſion.

Reflections upon parliaments.

Very

Very probably, thoſe that claimed it, were not themſelves ſatisfied with it. But as they were deſtitute of all other foundation, they built upon this, though weak and unſecure. 1656.

Cromwell's authority was no better ſupported. His uſurpation was ſo viſible, that a man muſt have wilfully ſhut his eyes not to ſee it. He himſelf was ſo convinced of the unlawfulneſs of his power, that he would fain have had it confirmed by a free parliament, being the only way which could furniſh him with a plauſible pretence to exerciſe it. But failing of ſucceſs, he continued where he was, that is, inveſted with the dignity of protector, by men who had no power to conſer it. Wherefore, the authority of a parliament appeared to him abſolutely neceſſary to confirm him in his own. But, as he had experienced what was to be expected from a free parliament, he reſolved to call one which might be more at command. He therefore ſummoned a parliament to meet the 17th of September; but he took ſuch juſt meaſures, that though the people ſeemed to enjoy a perfect freedom in the choice of their repreſentatives, he ſecured a majority of voices. Beſides, he would admit no man into the houſe, who had not firſt promiſed under his hand, to do nothing againſt the eſtabliſhed government. This parliament, compoſed of the repreſentatives of the three kingdoms, met on the day appointed [b]. But above a hundred members refuſing to ſign the engagement, were denied their ſeats in the houſe. The reſt appeared ready to perform Cromwell's deſires. An act was forthwith paſſed, for renouncing the title of Charles Stuart, (for ſo they called the king) which was ſigned by all the members. By another act it was declared high treaſon to attempt the life of the protector. In ſhort, in the ſpace of ſome months, the parliament liberally granted all the money deſired by Cromwell, as well for the maintenance of the army and government, as for the continuation of the war againſt Spain.

Upon Cromwell's authority.

He calls a parliament of the three nations. Clarendon, III. p. 460. Whitelock. Ludlow.

Scobell's Collect. Whitelock.

Some days before the parliament met, Blake and Montague, their admirals, falling in with eight Spaniſh ſhips, returning from the Weſt-Indies richly laden, took two, and ſtranded ſome others. This action was performed near Cadiz, where the Engliſh admirals had long expected that fleet. Cromwell ordered the two prizes to be brought to Portſmouth, and the money and goods to be conveyed in waggons, in a ſort of triumph, to London.

Clarendon, III. p. 459. Whitelock. p. 653. Ludlow.

[b] Sir Thomas Widdrington was choſen ſpeaker. Whitelock, p. 651.

In

1656-7. In January 1656-7, a conſpiracy againſt his perſon, was diſcovered by Cromwell, by one Sindercomb, diſcharged out of his guards. This man being convicted, and condemned to die, was found dead in priſon, the day on which he was to be executed [c].

Jan. 19. Clarendon. Whitelock. p. 654.

1657. About two months after, ſome anabaptiſts were diſcovered, who had projected to kill Cromwell. Major-General Harriſon, vice-admiral Lawſon, colonel Rich, major Danvers, and ſome others, all anabaptiſts, on ſuſpicion of being concerned in the conſpiracy, were put under an arreſt.

Id. p. 655.

Blake's attempt upon the galeons at St. Croix in the Canary iſles. April. Clarendon, III. p. 469.

Since Blake and Montague had taken the two prizes, they had continued cruiſing off Cadiz, in expectation of the Spaniſh fleet returning from Peru. As this fleet did not appear, though it ſhould now have been arrived, Blake had notice, it was retired to Teneriff, one of the Canaries, till the Engliſh fleet ſhould be ſailed from Cadiz. Whereupon, he ſtood for the Canaries, the beginning of April, and found there the Spaniſh fleet conſiſting of ſix galeons richly laden, and ten other ſhips of leſs burthen. The commander of this fleet had anchored in the bay of Santa Cruz, and taken all imaginable care to ſecure himſelf againſt an attack. The ten ſmaller ſhips were moored cloſe to the land, and defended by two forts well mounted with guns, and ſeveral batteries erected on the ſhore. But the galeons drawing more water, could not come ſo near the land, but lay farther off, with their broad-ſides towards the ſea. Blake ſeeing no poſſibility of approaching the ten ſhips, reſolved, notwithſtanding the raſhneſs of the undertaking, to attack the galeons. Accordingly, with a fair wind, he approached the galeons, received their fire, and boarded them. The particulars of this engagement are very confuſedly related by the hiſtorians. Thus much, however, is certain, that Blake, after an obſtinate fight, poſſeſſed himſelf of the galeons, and as the wind, which had brought him into the bay, would not ſerve to carry them out, ſet them on fire. Immediately after, a land-breeze ariſing, put him ſafe to ſea again. The Spaniards on this occaſion ſuſtained a very great loſs, in ſhips, money, men, and merchandize: but the Engliſh acquired nothing but glory. Blake dying in his return to

Deſtroys them.

Sept. 4. Clarendon, III. p. 471.

[c] He was tried at the upper-bench-bar. The court declared, "that by "the common law, to compaſs or imagine the death of the chief magiſtrate, "by what name ſoever he was called, "whether lord protector, or otherwiſe, "is high treaſon, and that the ſtatute "25 Edward III. was only declaratory "of the common law." Whitelock, p. 655.

England,

England, was pompouſly buried by Cromwell, in Henry the VIIth's chapel, among the monuments of the kings [d]. 1657.

The parliament, which met the 17th of September, continued their ſeſſion without interruption, being employed in the moſt important affair that could ever come under their conſideration. Whether Cromwell had now formed the project of his higher advancement, or the diſpoſition of the houſe in his favour, inſpired him with the thought, he ſuddenly became more popular than ever. He careſſed all parties alike. The preſbyterians were told, he was not far from their ſentiments; the nobility met with great reſpect from him; and he appeared leſs incenſed againſt the king's party. At laſt, after his friends and creatures had been long labouring to diſpoſe men in his favour, Mr. Pack a member of parliament, and one of the city aldermen propoſed, in direct terms, that he might be inveſted with the title of king. This propoſition was immediately ſeconded by a great many members [e], and it was even obſerved, that his known enemies very readily gave their conſent to it. Theſe imagined, there was no better way to ruin him, and excite plots againſt his life. But for the ſame reaſon, his principal friends oppoſed it with all their power. It is, nevertheleſs, very probable, he was privy to this propoſal, though he thought not fit to tell it to Deſborough his brother-in-law, or Fleetwood his ſon-in-law, from whom it met with the greateſt oppoſition. This contraſt between Cromwell's friends, held thoſe in ſuſpence, who only intended to make their court to him, and cauſed them to be irreſolute. Wherefore the propoſal was debated in the houſe two days ſucceſſively. In all appearance, the irreſolute were informed, in this interval, what they were to do. However that be, it was at laſt carried by a majority of voices, that the crown ſhould be offered to Cromwell. Purſuant to this reſolution, the houſe immediately appointed a committee, to acquaint his highneſs with what had been reſolved for the publick good. He ſeemed ſurprized at the offer, and told the committee, he thought it very ſtrange, the parliament ſhould entertain ſuch a deſign: That he did not believe it proper for them to offer, nor would his conſcience give him leave to accept it. The committee expecting this anſwer, replied, they did not queſtion but he would grant

Debates in the houſe concerning making an offer of the crown to Cromwell. Bornet. p. 6-, &c. Clarendon, III. p. 461. Whitelock.

The propoſal brought in by an alderman of London, and encouraged by others. Feb. 21. Dugdale's View. Ludlow. Clarendon, III. p. 462.

Cromwell waited on by a committee, with the offer of the crown. April 9. Clarendon, III. p. 463. Heath.

d He was (ſays Whitelock) a man of as much gallantry and ſincerity as any in his time, and as ſucceſsful.

e Particularly by Charles Boyle lord Broghill, chief juſtice Glynn, &c. Life of Cromwell, p. 363.

1657. their deſire, when he ſhould be informed of the reaſons which had induced the parliament to take this reſolution, and which they beſought him only to hear. Whereupon, he appointed a day to hear what they had to ſay to him [f].

Reaſons laid before him to prevail with him to accept it. Apr. 11, 12. Clarendon, III. p. 463.

The committee [g], on the day appointed, entertained him with long diſcourſes, concerning the reaſons on which the parliament founded their requeſt, of which the principal were: "that the people of England had for many ages "been accuſtomed to the government of kings: that in "changing this government, there had neceſſarily been an "abolition of many laws, cuſtoms, and formalities, and an "eſtabliſhment of others, which would never be endured "by the people on account of their novelty: that according "to the laws of England, there could be no ſecurity to "any act concerning the government, without the inter-"vention and authority of a king: that hitherto thoſe con-"cerned in the war, and the late changes, could not be "ſafe, but would remain liable to dangerous inquiſitions, "agreeable to the laws of the land: that the daily conſpi-"racies againſt the preſent government, clearly ſhewed, "the people were inclined to a king, nor would be ſatis-"fied without one: in a word, that the kingdom would "never be in peace, till things were brought back to their "antient channel. That it was very true, the royal fa-"mily had been rejected on account of their tyrannies; but "this was no objection to the choice of a king of another "family, nor could any kingdom be produced, where the "like had not happened, as well as in England."

Theſe ſame reaſons had been alledged in the debates in the houſe, and were anſwered by the republicans to this effect: "that an oath had been taken to be faithful to the "commonwealth without a king; and to make a new king, "was returning to Egypt. Where was the neceſſity of "recurring to kings, ſince it was agreed, they invaded the "rights of the ſubject? that it was advantageous that all

[f] Whitelock's account is thus: the parliament had been long about the ſettling of the nation, and had framed a writing, which they ſtiled, the humble petition and advice of the parliament of England, Scotland, and Ireland, to his highneſs. The firſt buſineſs of it was, for the protector to have the title of king. This petition and advice was preſented to his highneſs by the houſe, and he deſired that a committee might be appointed to confer with him about it; which was named, and Whitelock one of the committee was made chairman. When the committee attended his highneſs, Whitelock ſpake to him upon the title of king, giving reaſons why he ſhould accept of it. The protector urged his reaſons againſt it, and Whitelock replied. The whole debate is in print, Whitelock, p. 655.

[g] Of this committee Whitelock was chairman; and the chief ſpeakers were, the lord Broghill, Mr. St. John, Glynn, Fiennes, Lisle, Lenthal, ſir Charles Wolſey, ſir Richard Onſlow, and colonel Jones. Life of Cromwell, p. 364.

"the

"the ſubjects ſhould be equally liable to be called to an account, that they might be more united amongſt themſelves. That if a king was at laſt neceſſary, they would chuſe rather to have the true heir to the crown." Cromwell was not unacquainted with the reaſons alledged on both ſides in the houſe, and therefore to ſhow, he would neither accept nor refuſe the offer without deliberation, he appointed the 8th of May for his final anſwer. 1657.

It is pretended, that in this interval, he was in the utmoſt diſtraction, not knowing what to determine. His ambition prompted him to accept the offered crown, the whole intrigue probably being directed by himſelf. But the diſpoſition of his relations and principal friends made him tremble. For how could he promiſe himſelf allegiance from ſtrangers, when he ſaw his own moſt intimate friends determined to abandon him? Nay, it is ſaid, ſome of them threatened to kill him, and that he was informed of a plot to aſſaſſinate him, the moment he accepted the crown. The very day, he was to give his anſwer, Deſborough and Fleetwood, walking with him in St. James's park, told him, if he accepted the crown, they could ſerve him no longer. He was diſcouraged by all theſe things, at the very inſtant the crown was going to be placed on his head. His anſwer therefore to the committee was, that he could not accept the government under the title of a king [h]. Whether this refuſal was for or againſt his intereſt, is a problem that admits of great diſpute. For my part, I believe, that being ſo able a politician, he did not think the advantages equal to the inconveniencies, of accepting the crown.

He is greatly perplexed what choice to make. Whitelock, p. 556. Clarendon, III. p. 465. Burnet's Hiſt. p. 70. Refuſes the crown. May 8. Clarendon, III. p. 465. Heath.

Nevertheleſs, to reward in ſome meaſure ſo great a moderation, the parliament confirmed his dignity of protector, with more power than was annexed to it by the council of officers. This was done by a ſolemn inſtrument, called the humble petition and advice [i], the parliament thereby ſhowing it was not a law to be impoſed on him but an advice, which was ſubmitted to his judgment and diſcretion, with freedom to accept or refuſe it, as he ſhould think proper. The ſubſtance of it was:

Is confirmed in his protectorſhip by the parliament. Whitelock. Ludlow, t. II. p. 591.

"That his highneſs Oliver Cromwell ſhould, under the title of protector, be pleaſed to execute the office of chief magiſtrate, over England, Scotland and Ireland, and the

Contents of the act of the humble petition and advice. Whitelock, p. 657. Clarendon, III. p. 466.

[h] Though a crown was actually made, and brought to Whitehall. Welwood, p. 100.

[i] The reader may ſee it at large in Whitelock's Mem. p. 657.

1657. "territories and the dominions thereunto belonging, and to "govern according to all things in that petition and advice. "And alſo that he w uld in his lifetime appoint the perſon "that ſhould ſucceed him in the government: that he would "call a parliament conſiſting of two houſes once in a year [k], "at fartheſt: that thoſe perſons who are legally choſen by a "free election of the people to ſerve in parliament, may "not be excluded from doing their duties, but by conſent "of that houſe whereof they are members: that none but "thoſe under the qualifications therein mentioned, ſhould "be capable to ſerve as members in parliament: that the "power of the other houſe be limited as therein is preſcribed: "that the laws and ſtatutes of the land be obſerved and "kept; no laws altered, ſuſpended, abrogated, or repeal-"ed, but by new laws made by act of parliament: that "the yearly ſum of a million of pounds ſterling be ſettled "for the maintenance of the navy and army; and three "hundred thouſand pounds for the ſupport of the govern-"ment; beſides other temporary ſupplies as the commons "in parliament ſhall ſee the neceſſities of the nation to re-"quire: that the number of the protector's council ſhall "not exceed one and twenty, whereof ſeven ſhall be a quo-"rum [l]. The chief officers of the ſtate, as chancellors, "keepers of the great ſeal, &c. to be approved by parlia-"ment: that his highneſs would encourage a godly miniſtry "in theſe nations; and that ſuch as do revile and diſturb "them in the worſhip of God, may be puniſhed according "to law; and where laws are defective, new ones to be "made: that the proteſtant chriſtian religion, as it is con-"tained in the Old and New Teſtament, be aſſerted and "held forth for the publick profeſſion of theſe nations, and "no other; and that a confeſſion of faith be agreed upon, "and recommended to the people of theſe nations; and "none to be permitted, by words, or writing, to revile or "reproach the ſaid confeſſion of faith."

The general terms in which the three laſt articles concerning religion are expreſſed, plainly ſhow, that the intention of the parliament, or rather of Cromwell who directed them, was, to oblige equally the preſbyterians and indepen-

[k] Once in three years, or oftener. Ibid.

[l] This expreſſion is taken from the clauſe inſerted in moſt commiſſions, in which, after the number of commiſſioners is fixed, the king appoints ſome particular perſons amongſt them, who are to be preſent to give a validity to all acts done in virtue of the commiſſion, and this he does by ſaying, a quorum eſſe numero volumus, &c. Rapin.

dents,

dents. The firſt, by ſupporting the miniſtry, upon the preſent eſtabliſhment, and the others, by introducing into religion, a latitude which left every man free to believe and practiſe as he pleaſed, and both parties, by equally flattering them with a confeſſion of faith, in which each party ſhould find their account. The epiſcopalians alone could not expect any advantage. 1657.

Cromwell having ſolemnly ſworn the punctual obſervation of theſe articles, appointed the 26th of June for the day of his inauguration, which was performed with great pomp [m]. He was, doubtleſs, of opinion, that this ſecond inauguration was neceſſary to ſupply the defects of the firſt, which had been made without any lawful authority. This done, the houſe adjourned to the 20th of January 1657-8.

Cromwell ſolemnly inaugurated. June 26. Whitelock, p. 662. Ludlow, t. II. p. 592. Clarendon, III. p. 468.

Since the renewal of the antient treaties between France and England, another negotiation was begun for a league offenſive and defenſive againſt Spain. This negotiation ſet on foot by the ambaſſador of France in 1656, at London, was concluded at Paris the 13th of March 1657, by a treaty of league, importing, that Cromwell ſhould join ſix thouſand men with the French army; that Mardyke and Dunkirk ſhould be beſieged, and when taken, delivered to the Engliſh [n].

A league offenſive and defenſive between France and Cromwell. March 23. Aubery's Hiſtory of Cardinal Mazarin.

King

[m] A place being prepared at the upper end of Weſtminſterhall, in the midſt of it was ſet a rich cloth of ſtate, with a chair of ſtate under it, upon an aſcent of two ſteps. Before it a table and chair for the ſpeaker, and on each ſide of the hall covered ſeats one over another, for the members. About two a-clock his highneſs came, the earl of Warwick carrying the ſword before him (and being the only nobleman that was preſent at that ſolemnity, ſays Ludlow, tom. II. p. 592.) and the lord mayor of London, with the city ſword. His highneſs ſtanding under the cloth of ſtate, the ſpeaker preſented to him a robe of purple velvet lined with ermines, which ſir T. Widdrington the ſpeaker, aſſiſted by Whitelock, put upon him. Then he delivered to him the bible richly gilt and boſſed; after that he girt on his ſword, and delivered into his hands the ſcepter of maſſy gold, and then made a ſpeech to him, and gave him the oath. After this, the people gave ſeveral ſhouts, and the trumpets ſounded: the protector ſat in the chair of ſtate, holding the ſcepter in his hand; on his right ſide ſat the ambaſſador of France, on the left the ambaſſador of the United Provinces: near him ſtood his ſon Richard, Fleetwood lord deputy of Ireland, Claypole maſter of the horſe, the council and others of ſtate. The earl of Warwick held the ſword on the right, and the lord mayor the city ſword on the left ſide of the chair. Near the earl of Warwick ſtood viſcount Liſle, general Montague, and Whitelock, each of them with a drawn ſword in their hands. Then the trumpets ſounded, and a herald proclaimed his highneſs's title, and proclamation was made to the people, crying, God ſave the protector. The ceremonies being ended, he went in ſtate to Weſtminſterhall gate, where he took coach, and went to the houſe, and paſſed ſome bills. Whitelock, p. 662.

[n] Some authors, by confounding theſe two treaties, the one of the 23d

1657. King Charles being informed of this negotiation, ſent a truſty meſſenger to archduke Leopold, ſtill governor of the Low Countries, to offer a league with Spain. The king's deſign was to give himſelf ſome reputation by a league with that crown; and, beſides, he wiſhed to reſide in the Low Countries in order to be nearer England, in caſe his preſence there ſhould be neceſſary. The archduke accepted the propoſal, believing, if the king of England was attached to Spain, he would have credit enough to draw the Iriſh forces from the French, into the Spaniſh ſervice. This was all the advantage Spain could expect from a junction with a prince, who had properly nothing to offer. Beſides he was to be ſubſiſted, when he ſhould be deſerted by France. However this be, the king and the archduke concluded a treaty, by which the king's reſidence at Bruges was only to be connived at by Spain, which was little able to maintain him according to his dignity. Spain was moreover to furniſh him with ſix thouſand men, as ſoon as he ſhould be poſſeſſed of ſome good port in England. The king, ſatisfied with theſe conditions, becauſe he had nothing to offer to procure better, ſigned the treaty which was ratified by the king of Spain. With the ratification, Phillip ſettled upon the king a monthly penſion of ſix thouſand guilders, and another of three thouſand upon the duke of Gloceſter, who had been ſent for out of France by his brother the king, where his mother was perſuading him to change his religion. So, the king left Cologne in April 1657, and retired to Bruges, at the ſame time that archduke Leopold reſigned the government of the Low Countries to Don John of Auſtria, natural ſon of Philip IV. Afterwards, the king prevailed with the lord Muſkerry, colonel of an Iriſh regiment in the ſervice of France, to deſert that ſervice, and join the Spaniſh army with his regiment. He alſo found means to cauſe four regiments, of Engliſh, Scots and Iriſh, to come in ſingle companies, and offer him their ſervice. Theſe regiments, though not in very good order, ſerved in the Spaniſh army.

King Charles makes an alliance with Spain. Clarendon, III. p. 455, 456, 457.

April. Has a penſion granted from that crown of 6000 guilders a month. Goes to reſide at Bruges. Clarendon, III. p. 474, 475, &c.

The duke of York obliged to quit France. Clarendon, III. p. 477, 480.

As ſoon as the treaty of league between France and England was ſigned, cardinal Mazarin ſignified to the duke of York, that he was to retire out of the dominions of France. All the Engliſh of the king's party, in the ſervice of France, had the ſame orders, and amongſt the reſt the lord Digby,

of October 1655, and the other of the 3d of March 1657, have fallen into ſome miſtakes. Rapin. See Collect. of treaties, tom. III.

now

now become earl of Briſtol upon the death of his father, and a convert to the catholick religion. All theſe Engliſh, diſmiſſed from France, retired into the Low Countries, ſome to their king, and the reſt to Don John of Auſtria, to ſeek employment in his army. 1657.

In conſequence of the league, Cromwell ſent ſix thouſand men of his beſt troops into France under the command of Reynolds, who had concluded the treaty at Paris in quality of his ambaſſador. In this campaign, the French took ſeveral places from the Spaniards, and amongſt the reſt Mardyke which was delivered to the Engliſh. Reynolds was unhappily drowned in his return to England, and was ſucceeded in the command of the Engliſh forces in the ſervice of France, by Lockhart a Scotchman and ambaſſador to that crown. Cromwell ſends ſix thouſand Engliſh into France. Sept. 23. Clarendon, III. p. 473. Whitelock. Ludlow.

As by the 2d article of the humble petition and advice, the protector was every year to ſummon a parliament conſiſting of two houſes, Cromwell reſolved to obſerve that article, which had been inſerted in the inſtrument by his ſole direction. He therefore choſe a certain number at his own pleaſure, to compoſe the other houſe. Moſt of theſe were officers, or other perſons devoted to him, to whom he added ſome of the antient peers; but they refuſed to take their ſeats with theſe men [o]. This choice being made, he iſſued out writs for their meeting in parliament, in a ſeparate houſe, the 20th of January 1657-8. His intention was to have this houſe conſidered as a houſe of peers, and inveſted with the ſame privileges, the peers had formerly enjoyed. He durſt not however give it that name, but contented himſelf with calling it the other houſe, till a more proper name could be given it [p]. 1657-8. Compoſes another houſe of parliament. Whitelock, p. 665. Clarendon, III. p. 472. Ludlow, t. II. p. 594, 595. Heath.

Cromwell, as hath been obſerved, had created himſelf many enemies, not only amongſt the royaliſts and preſbyte- Deſigns of his enemies againſt him. Ludlow.

o Ludlow ſays, none of the antient nobility, except the lord Eure, ſat in the other houſe. The earl of Warwick himſelf, though his grandſon, had married one of Cromwell's daughters, would not be perſuaded to ſit with colonel Hewſon, and colonel Pride, whereof the one had been a ſhoemaker, and the other a drayman. Mem. tom. II. p. 595.

p The form of the writs was the ſame with thoſe which were uſed to be ſent to ſummon the peers in parliament. There were in all ſixty (ſeventy, ſays Ludlow, tom. II. p. 584.) among whom were divers noblemen, knights, and gentlemen of antient families, and good eſtates, and ſome colonels and officers of the army. This is Whitelock's account, who was one of them, and who has given us the names of all the ſixty. Among whom were four earls, two viſcounts, and ſeveral lords, as the reader may ſee, p. 665. of Whitelock's Mem. And here again, there is reaſon to wiſh Rapin had ſeen Whitelock's Memorials.

1657-8. rians, but even among the independents themſelves. Theſe were extremely provoked at his having made uſe of them for his advancement, under colour of labouring with them to eſtabliſh a republican government. The ſequel had ſhown them, that in ſuppreſſing kingly power, he had never intended to aboliſh the monarchy, ſince under the name of protector, he had ſeized the ſupreme power. They therefore looked upon him as the moſt perfidious of men, and were not leſs his enemies than the preſbyterians and royaliſts. He was ſupported only by the army, filled by himſelf with fanaticks and enthuſiaſts, who imagined the time was come to erect a fifth monarchy, or the reign of Jeſus Chriſt upon earth. Cromwell was not ignorant, his enemies had deſigned to deſtroy him, on pretence of raiſing him higher, and this had made him refuſe the title of king. It was alſo to break their meaſures, that he had aſked and obtained a power of erecting another houſe, to oppoſe it occaſionally to the houſe of commons, where he knew he had but too many enemies, of which he had cauſe very ſoon to be ſtill more ſenſible.

The parliament meets in two houſes. Jan. 20. 1657-8. Whitelock, p. 666. Clarendon, III. p. 472.

His enemies having had time to concert their meaſures during the adjournment, took another courſe to deſtroy him when the parliament re-aſſembled. As by the IIId article [q] of the humble petition and advice, it was ſaid, the members legally choſen, ſhould not be excluded without the conſent of their houſe, a motion was made to admit all the elected members, who had refuſed to ſign the engagement. This motion was ſo ſuddenly received and approved, that Cromwell had not time to oppoſe it, and he could have done it ſo much the leſs, as it was founded on a ſolemn act, which he had ſworn to obſerve. By this means above a hundred members, republicans and preſbyterians, all enemies to the protector, were admitted into the houſe of commons [r]. From that time, the face of affairs, began to change, Cromwell's enemies having gained the ſuperiority in the very houſe which would have made him a king. As they had formed great projects againſt him, their firſt care was to hinder the other houſe, wholly conſiſting of his creatures, from uſing their pretended negative voice to break their meaſures. The authority therefore of the other houſe was called in queſtion, and it was affirmed to be abſurd, that they ſhould have a

The excluded members received into it, who were Cromwell's enemies. Ludlow, t. II. p. 597, 608. Phillips. Clarendon, III. p. 472.

[q] Rapin ſays the IVth. See the petition in Whitelock, p. 657.

[r] Among whom particularly were Sir Harry Vane, Haſlerig, and many others of great credit and intereſt.

negative

negative voice, since the commons, by whom they were created, never pretended to make peers of men who had no other power than what they voted them. It was added, that therefore it was said in the humble petition and advice, that the power of the other house should be limited. Cromwell, perceiving to what all this tended, sent for the parliament to Whitehall, and in a speech maintained the authority of the other house with such vehemence, that the commons fearing an immediate dissolution, found it necessary to acknowledge the other house as an essential part of the parliament [a]. 1657-8.

The parliament examines the validity of the humble petition and advice. Phillips.

Notwithstanding this, the commons took into consideration the humble petition and advice, and many were of opinion, it was null and void, because it was made when many members were excluded from the parliament, without any lawful cause. This manifestly tended to a revocation of the act, and withal of the subsequent confirmation of Cromwell's protectorship. Cromwell was too quicksighted not to see how much it concerned his interest, not to suffer the parliament to sit any longer. Wherefore he came to the other house and sending for the commons, spoke to them in these terms:

Cromwell's speech to the parliament. Feb. 4. Phillips, p. 631.

"I had very comfortable expectations that God would "make the meeting of the parliament a blessing: and the "Lord be my witness, I desire the carrying on the affairs "of the nation to these ends. The blessing which I "mean, and which we ever climbed at, was mercy, "truth, righteousness, and peace, which I desire may be "improved.

"That which brought me into the capacity I now stand "in, was the petition and advice given me by you, who, "in reference to the antient constitution, did draw me to "accept of the place of protector. There is not a man "living can say I sought it; no, not a man, nor woman "treading upon *English ground*; but I, contemplating the "sad condition of these nations, relieved from an intestine "war unto a six or seven years peace, I did think the nations happy therein. But to be petitioned thereunto, and "advised by you to undertake such a government, a burden "too heavy for any creature, and this to be done by the "house that then had the legislative capacity, I did look

[a] Among the acts passed in this parliament was one for preventing the multiplicity of buildings in and about London, and within ten miles thereof. Whitelock, p. 662.

"that

1657-8. "that the ſame men that made the frame, ſhould make "it good unto me: I can ſay in the preſence of God, "in compariſon of whom we are but like poor creeping "ants upon the earth, I would have been glad to have lived "under my wood ſide, to have kept a flock of ſheep, ra-"ther than undertook ſuch a government as this is; but "undertaking it by the advice and petition of you, I did "look that you that had offered it unto me ſhould make it "good.

"I did tell you, at a conference concerning it, that I "would not undertake it, unleſs there might be ſome other "perſon that might interpoſe between me and the houſe of "commons, who then had the power to prevent tumultu-"ary and popular ſpirits, and it was granted I ſhould name "any other houſe; and I named it of men that ſhall meet "you whereſoever you go, and ſhake hands with you, and "tell you it is not titles, nor lords, nor party, that they "value, but a chriſtian and an Engliſh intereſt, men of "your own rank and quality, who will not only be a bal-"lance unto you, but to themſelves, while you love Eng-"land and religion.

"Having proceeded upon theſe terms, and finding ſuch a "ſpirit as is too much predominant, every thing being too "high or too low, when virtue, honeſty, piety and juſtice "are omitted: I thought I had been doing that which was "my duty, and thought it would have ſatisfied you; but if "every thing muſt be too high or too low, you are not to "be ſatisfied.

"Again, I would not have accepted of the government, "unleſs I knew there would be a juſt accord between the "governor and the governed, unleſs they would take an "oath to make good what the parliament's petition and ad-"vice adviſed me unto; upon that I took one oath, and "they took another oath upon their part anſwerable to "mine; and did not every one know upon what condition "they ſwore? God knows, I took it upon condition ex-"preſſed in the government: and I did think we had been "upon a foundation, and upon a bottom; and thereupon "I thought myſelf bound to take it, and to be adviſed by "the two houſes of parliament. We ſtanding unſettled till "we were arrived at that; the conſequences would neceſſa-"rily have been confuſion, if that had not been ſettled. "Yet there are not conſtituted hereditary lords, nor hered-"tary kings; the power conſiſting in the two houſes and "myſelf. I do not ſay, that the meaning of your oath

"was

" was to you, that were to go againſt my own principles, 1657-8.
" to enter upon another man's conſcience: God will judge
" between me and you: if there had been in you any inten-
" tion of ſettlement, you would have ſettled upon this baſis,
" and have offered your judgment and opinion.

" God is my witneſs, I ſpeak it, it is evident to all the
" world and people living, that a new buſineſs hath been
" ſeeking in the army againſt this actual ſettlement by your
" conſent; I do not ſpeak to theſe gentlemen or lords (point-
" ing to his right hand) whatſoever you will call them, I
" ſpeak not this to them, but to you; you adviſed me to
" run into this place to be in a capacity by your advice;
" yet inſtead of owning a thing taken for granted, ſome
" muſt have I know not what; and you have not only diſ-
" joined yourſelves, but the whole nation, which is in like-
" lihood of running into more confuſion in this fifteen or
" ſixteen days that you have ſat, than it hath been from the
" riſing of the laſt ſeſſion to this day, through the intention
" of deviſing a commonwealth again, that ſome of the peo-
" ple might be the men that might rule all, and they are
" endeavouring to engage the army to carry that thing; and
" hath that man been true to this nation, whoſoever he be,
" eſpecially that hath taken an oath, thus to prevaricate?
" Theſe deſigns have been upon the army, to break and di-
" vide us: I ſpeak this in the preſence of ſome of the army,
" that theſe things have not been according to God, nor ac-
" cording to truth (pretend what you will.) Theſe things
" tend to nothing elſe, but the playing the king of Scots his
" game, if I may ſo call him; and I think myſelf bound
" before God, to do what I mean to prevent it. That which
" I told you in the Banquetting-houſe was true, that there
" were preparations of force to invade us; God is my wit-
" neſs it hath been confirmed to me ſince within a day, that
" the king of Scots hath an army at the water ſide ready to
" be ſhipped for England. I have it from thoſe who have
" been eye-witneſſes of it. And while it is doing, there
" are endeavours from ſome who are not far from this place,
" to ſtir up the people of this town into a tumulting:
" what if I ſaid into a rebellion? and I hope I ſhall make
" it appear to be no better, if God aſſiſt me; it hath been
" not only your endeavour to pervert the army, while you
" have been ſitting, and to draw them to ſtate the queſtion
" about a commonwealth, but ſome of you have been liſt-
" ing of perſons by commiſſion from Charles Stuart, to join
" with any inſurrection that may be made; and what is

" like

1657-8. "like to come upon this (the enemy being ready to invade "us) but even preſent blood and confuſion? And if this be "ſo, as I do aſſign to this cauſe your not aſſenting to what "you did invite me to by the petition and advice, as that "which might be the ſettlement of the nation, and if this "be the end of your ſitting, and this be your carriages, I "think it high time that an end be put to your ſitting, and "I do diſſolve this parliament: and let God judge between "me and you." At which many of the commons cried amen.

1658. When the parliament was diſſolved, Cromwell ſuſpecting, or perhaps being informed, that Lambert was one of the principal authors of the plot formed againſt him, diſmiſſed him from all his employments [t]. Fleetwood was recalled from Ireland to ſucceed Lambert in the lieutenant generalſhip, and Henry Cromwell, younger ſon of the protector, was ſent into Ireland in Fleetwood's room. Since Cromwell had been confirmed in the protectorate, he had called his eldeſt ſon Richard to court [u], and made him chancellor of the univerſity of Oxford. He had married his ſecond daughter to the lord Falconbridge, and his third to mr. Rich, grandſon to the earl of Warwick. His eldeſt had been long ſince married to mr. Claypole, and a fourth lived unmarried, if I am not miſtaken, till the reign of William III [w]. Soon after the diſmiſſion of Lambert, Cromwell ſo reduced the authority of the major-generals, that they had no longer the power, as they had before, of oppreſſing the people. In all appearance, they were deeply concerned in the plot to gain the army, mentioned by Cromwell in his ſpeech to the parliament. It is pretended, he meant to make a greater uniform in his army, and was reſolved to diſmiſs every perſon of ſuſpected fidelity. But he had not time to execute that project.

Lambert turned out of his preferments. Ludlow, t. II. p. 593. Succeeded by Fleetwood. Who is ſucceeded by Henry Cromwell. Cromwell's family. Clarendon, III. p. 469. He reduces the power of the major-generals. Id. p. 473. Ludlow, t. II. p. 580—582.

It was not without reaſon that Cromwell ſpoke of a conſpiracy forming in England in favour of the king. The royaliſts ever believing, that all who were enemies either of

A conſpiracy of the royaliſts. Whitelock. Clarendon, III. p. 481, &c. Phillips.

[t] But however, allowed him two thouſand pounds a year. Ludlow, tom. II. p. 594.

[u] He had till this time lived privately at Hurſly in Hampſhire, upon the fortune brought him by his wife, who was Dorothy, eldeſt daughter of Richard Major, eſq; Clarendon, tom. III. p. 469.

[w] The marriages of his daughters, Mary to the lord Falconbridge, and Frances to mr. Rich, the earl of Warwick's grandſon, were celebrated firſt according to ceremonies theſe in uſe, but privately afterwards, according to the rites of the church of England. Ibid. Bridget had two huſbands, Ireton and Fleetwood; and Elizabeth (whom Rapin by miſtake ſays lived unmarried) was wife to Claypole. The lady Falconbridge lived to extreme old age.

Cromwell's

Cromwell's perſon or government, were the king's ſecret friends, built upon that foundation to place him on the throne by the aſſiſtance of his greateſt enemies. This would appear incredible, if they had not given frequent inſtances of their prejudice. The project was, as uſual, to raiſe inſurrections in ſeveral parts of the kingdom, in the belief that the king's private friends would not loſe the occaſion of joining thoſe who ſhould be in arms. The principal managers of this plot were John Mordaunt brother of the earl of Peterborough, Sir Henry Slingſby a rich and popular man in the county of York, and dr. Hewet a miniſter of the church of England. This plot had been repreſented to the king in ſo advantageous a manner, by reaſon of the general diſcontent under the preſent government, that he conceived hopes of ſucceſs. And therefore he had himſelf made ſome preparations in the Low Countries, and the four regiments raiſed by him, and after the miſcarriage of the deſign, added to the Spaniſh army, were intended for his ſervice. He had moreover ſent commiſſions into England, for thoſe who would engage in his intereſt. One of theſe commiſſions to raiſe a regiment of horſe had been granted to mr. Stapley, whoſe father had been Cromwell's great friend, and one of the king's judges. Cromwell, upon ſome intimation, ſent for Stapley, and artfully drew from him a confeſſion of whatever he knew, and that he had received his commiſſion from mr. Mordaunt. He alſo told him, the marquis of Ormond had been at London, and ſtaid there three weeks to concert meaſures with the conſpirators, and give them his directions; which was true. The earl of Clarendon intimates, the marquis had not found things in England ripe for the execution of what was intended, and yet the great number of commiſſions ſhow, that the court had a better opinion of the undertaking. However this be, the marquis had the good fortune to leave England, and return to the king, before Cromwell knew he had been there. Immediately after the diſſolution of the parliament, Mordaunt, Slingſby and Hewet were committed to the Tower, and many of their accomplices, were apprehended in all parts of the kingdom. After which, Cromwell erected a high court of juſtice [x] for trial of the criminals, and eſpecially of the

1658.

Clarendon, III. p. 483, &c. Ludlow.

Diſcovered by Stapley. Clarendon, III. p. 481 —485.

Id. p. 404. Whitelock, p. 673. State Trials, t. II.

x Of which Whitelock was one of the commiſſioners; but never ſat with them, it being againſt his judgment. He was for trying the conſpirators in the ordinary courſe of common law; but, ſays he, his highneſs was too much in love with the new way, which he thought to be more effectual, and would the more terrify the offenders. Mem. p. 673.

three

1658. three principal. Mr. Mordaunt eſcaped death by means of his wife, who bribed ſome of the judges, and prevailed with colonel Mallory [y], one of the two witneſſes againſt her huſband, to make his eſcape. Sir Henry Slingſby and dr. Hewet were condemned and executed [z]. Before the ſame court were tried, condemned, hanged and quartered for the ſame crime, Aſhton, Stacy, and Battely. Some others were condemned, and pardoned by Cromwell, not to multiply any more the number of his enemies. It is certain he had a great many, and that thoſe who had been moſt attached to him while he was believed to be in their views, hated him mortally, when they found themſelves deceived.

Slingſby, Hewet, and others, executed. Ib. p. 296. Clarendon, III. p. 487, 488.

The earl of Clarendon relates on this occaſion a long addreſs to the king, from ſeveral independents, quakers and anabaptiſts, brought him by a young gentleman [a], wherein they ſuppoſed the death of Cromwell to be near, which ſeemed to intimate a deſign to aſſaſſinate him. To this addreſs were annexed ſome conditions required of the king, with which certainly he could not comply. Wherefore he contented himſelf with returning a general anſwer, that he did not intend to perſecute or trouble any for their opinions, if their actions were peaceable, and that they might hope for his favour, if he received ſervice from them; by which he ſeemed to encourage them to execute their deſign. It is certain, theſe men abhorred Cromwell, but depended too much on their own ſtrength, and filled their heads with chimerical deſigns. After all, though their projects ſhould have ſucceeded, the king would have received no advantage, their principles being ſo oppoſite to his. Probably, their intention was to make uſe of the king to accompliſh their

Addreſs of ſome ſectaries to the king. Id. p. 489, &c.

y He had been truſted by mr. Mordaunt in the buſineſs of Suſſex, and apprehended about the ſame time with Stapley. He was brought from the Tower in cuſtody, to give in evidence againſt mr. Mordaunt, but was prevailed with, when he was brought to the hall, to withdraw from his guard, and ſlip away in the crowd. Clarendon, tom. III. p. 486.

z They were both beheaded on Towerhill, June 8. State Trials, tom. II. p. 296. Hewet's greateſt crime was collecting and ſending money to the king, and diſperſing his commiſſions. Mrs. Claypole uſed all her intereſt with her father the protector, to ſave the doctor's life, but without ſucceſs; which denial ſo afflicted her, that it was reported to be one cauſe of her death; ſhe dying Auguſt 6. Idem. p. 485. Ludlow, tom. II. p. 607.

a Sexby was not the perſon ſent with the addreſs (as Rapin ſays by miſtake) though he was an agent both for theſe people and the Spaniards. He was an illiterate but ſenſible man, of no family, and at firſt only a common ſoldier in Cromwell's troops. The perſon that brought the addreſs, was, the lord Clarendon ſays, a young gentleman of an honourable extraction. Clarendon, tom. III. p. 488, 499.

aim,

aim, but not to place him on the throne in the manner he desired, accordingly this project came to nothing. 1658.

In June, this year, marshal Turenne, general of the French army, besieged Dunkirk, contrary to the opinion of Don John of Austria, who expected that he would have opened the campaign with the siege of Cambray. As this belief had made him neglect to provide for the defence of Dunkirk, he was forced to hazard a battle to save that place, which was not in a condition to make a long resistance. But this battle proved fatal to the Spaniards, who were entirely defeated [b], and the siege was continued by Turenne, who made himself master of Dunkirk the 26th of June. The town, in pursuance of the treaty with England, was surrendered to Cromwell, who placed a strong garrison in it, and made Lockhart the governor [c]. Dunkirk taken. Clarendon, III. p. 500. The battle of Dunes. Id. p. 502. Whitelock. Dunkirk delivered to Cromwell. Clarendon, III. p. 504.

Cromwell had for some time, appeared more uneasy and fearful than ever. This is not very strange, since he had informations from divers parts, of a design to assassinate him, by some of his former most zealous adherents. This caused him to use new precautions, as not to lie two nights together in the same chamber, nor appear in publick without a strong guard. But all these precautions to avoid a violent, could not secure him from a natural, death. In August, this year, he was seized with a fever at Hampton Court, which at first had no dangerous symptoms, but his distemper daily increasing, he was removed to Whitehall, where, after nominating his eldest son Richard for his successor, he expired in the 60th year of his age, on the 3d of September, on which day he had gained the two great battles, of Dunbar in 1650, and of Worcester in 1651 [d]. Ludlow. Clarendon, III. p. 505. Whitelock. Cromwell's death.

Cromwell's family was originally of Glamorganshire in Wales, and called Williams, one of which marrying a sister of Cromwell, vicar-general in the reign of Henry VIII. assumed the name of Cromwell, and transmitted it to his posterity. Oliver Cromwell was born at Huntington, April 25, Descent and character. Life of Cromwell. Appendix, p. 427. Bates.

[b] Chiefly by means of Lockhart (who had married Cromwell's niece) and his six thousand English foot. Clarendon, tom. III. p. 502.——There were twelve hundred Spaniards slain, and two thousand taken prisoners. Whitelock, p. 672.

[c] The French general had secret orders not to deliver that place to the English. But Cromwell had an information of it, though it was known but to four persons, and rendered that order ineffectual, as the reader may see in Welwood, p. 96.

[d] Whitelock says, Cromwell went to rest in the grave the same day he had obtained the victories at Dunbar and Worcester: after his many great actions and troubles, he now died quietly in his bed. Some were of opinion he was poisoned. Mem. p. 674.—— There was that day one of the greatest storms of wind that ever was known. Clarendon, tom. III. p. 505.

1658. 1599. His education had nothing extraordinory [e], nor is it known how he ſpent his time before he arrived at the age of thirty five years, when he began ſeriouſly to reform his manners and lead a very regular life, without indulging himſelf in any indecent or ill action. Probably he then, if not ſooner, engaged in the preſbyterian party [f]. The reputation he had acquired of an honeſt man and good chriſtian, and doubtleſs his principles concerning the government, were the cauſe of his being returned for the town of Cambridge, to the parliament which met the 3d of November 1640 [g]. He ſat two years without being diſtinguiſhed, not having a genius for ſpeaking to place him upon a level with ſome of the members of that parliament. His delivery was ungraceful, and his ſpeeches prolix and confuſed. It was, probably, in theſe two years that he was gained by the independents, and liſted in their party, though concealed under the name of rigid preſbyterians. Agreeably to the views and intereſts of that party, Cromwell affected an extraordinary zeal for preſbyterianiſm, and the liberty of the nation againſt the uſurpations of the court, in which he followed the directions of the then leading members of the houſe. So, when the civil war began in 1642, he had a poſt in the army, as a man entirely devoted to the houſe of commons, of which he was member. He was at firſt a major of horſe, and though he was two and forty years old before he had drawn a ſword, he was ſo diſtinguiſhed by his valour in that office, that he had ſoon after a regiment given him. There was not in the army an officer that faced danger with more intrepidity, or that more ardently ſought occaſions to ſignalize himſelf. His reputation increaſed to ſuch a degree, that he became major-general, then lieutenant-general under Fairfax, and at laſt his ſucceſſor. His great talents for war gave him occaſion to ſhow that he had no leſs genius for civil affairs. He entered into the deepeſt deſigns of his party, and at laſt became one of the principal leaders, advancing here with the

Warwick's Mem. p. 247.

[e] His education was ſuitable to his birth, he being firſt ſent to Cambridge, and then to Lincoln's Inn.

[f] In 1637, Cromwell, Haſlerig, Hampden, and ſome others, reſolved to take refuge in New England (on account of the perſecution raiſed by archbiſhop Laud againſt the puritans) and were actually embarked for that purpoſe; but they were prevented, by a proclamation againſt tranſporting his majeſty's ſubjects to the plantations in America; and by an order of council, for ſtopping eight ſhips in the river of Thames, prepared to go for New England, in one of which Cromwell was. Life of Cromwell, p. 3.

[g] The reaſon of his being choſe, was, becauſe he oppoſed the draining the fen lands in the iſle of Ely, which was then propoſed, and not liked by the town of Cambridge. Ibid.

same rapidity as in the army. It was he, who accusing the earl of Manchester of not having done his duty in the second battle of Newbury, broke the ice, and gave occasion to the new model of the army, which was the first step to the triumph of the independents. From that time, he was looked upon as the chief of the independent party, and, properly as general of the army, Fairfax acting only as directed by Cromwell. I shall no farther insist upon what has been related at large, but only observe, that the troops believed themselves invincible under his command, and that he was never once forced to turn his back. The victory gained over prince Rupert at Marston Moor, was chiefly ascribed to his valour. The reduction of Ireland in less than a year, greatly increased his fame, and the battles of Dunbar and Worcester carried it to the highest degree. 1658.

Let us now view him in his government after he was protector. If his government be compared with those of the two last kings, there will appear a very great disparity with regard to the glory and reputation of the English nation. James I. and Charles I. seemed to have studied to disgrace the English name, whereas Cromwell, in the space of four or five years carried the glory of his nation as far as possible, and in that respect was not inferior to Elizabeth [h]. He made himself equally dreaded by France and Spain, and the United Provinces. These three states courted his alliance and friendship with such ardour, that they may be said to cringe to him beyond what was becoming. Charles Gustavus, king of Sweden, thought himself honoured in being his ally and particular friend. His greatest enemies cannot help praising him on this account. Burnet's Hist. p. 81.

As for his morals and conduct, as a private person, they may be said to have been very regular. He was guilty of none of the vices to which men are commonly addicted. Gluttony, drunkenness, gaming, luxury, avarice, were vices with which he was never reproached. On the contrary, it is certain, he promoted virtuous men; as, on the other hand, he was inflexible in his punishments of vice and ill actions. It is true, his own preservation obliged him sometimes to employ men of ill principles, but this is not uncommon to those, who are at the head of a government. Welwood.

h He said once in parliament, "That he hoped he should make the "name of an Englishman, as great "as ever that of a Roman had "been." Burnet, p. 81.

1658. I. Though, as to his religion, he was an independent, his principle was to leave every man at liberty in the religion he had choſen, and never perſecuted any perſon upon that account. He even connived at the private meetings of thoſe, who remained attached to the church of England, though he was well informed of them. If they were not favoured with the free and publick exerciſe of their religion, it was becauſe they were conſidered by him as royaliſts, always ready to form plots in the king's favour, and from whom, conſequently, he had great reaſon to ſecure himſelf. Though he was in the ſentiments of the independents, and therefore averſe to all union with the national church, he however conſidered all proteſtant churches, as part of the proteſtant church in general; and without aiming to eſtabliſh independency and fanaticiſm by force and violence, he expreſſed, on all occaſions, an extreme zeal for the proteſtant religion.

p. 77. Dr. Burnet, in the hiſtory of his own times, ſays, that if Cromwell had accepted the title of king, he intended to eſtabliſh a council, in imitation of the congregation de propaganda fide at Rome, to have an eye to what paſſed all over the world, with regard to the intereſts of the proteſtant religion. He adds, that a fund was to have been ſettled upon this council, of ten thouſand pounds a year, for ordinary emergencies, beſides a ſalary of five hundred pounds apiece to four ſecretaries.

It may alſo be added, to Cromwell's honour, that never man was better acquainted with the inward ſprings of human actions, though he ſeemed not to have made it his particular ſtudy. Never man had more addreſs to manage people, and lead them to his ends, nor more natural capacity for affairs,

Burnet, p. 65. which had received no aſſiſtance from learning; for he ſcarce remembered the little Latin he brought from ſchool; in a word, never man choſe at once his moſt advantageous courſe with more judgment, or executed a deſign with more vigour and readineſs. Such, in ſhort, were the virtues and ſhining qualities of Cromwell; but we muſt not conceal the faults and imperfections with which he is charged.

This charge turns ſolely upon three points. The firſt, that through a boundleſs ambition, he ſeized a government to which he had no right. The ſecond, that he maintained himſelf in his poſt, by an exceſſive diſſimulation. The third, that he put to death many of his private enemies, without any regard to laws immemorially practiſed in England. Upon theſe three articles I ſhall offer ſome conſiderations to the

the reader, to assist him in forming a just idea of Cromwell's character. 1658.

Upon the first, it must be considered, that though the royalist authors traduce Cromwell's memory as much as possible, and though in particular, the action by which he was possessed of the government, is the principal foundation of all their complaints, it is certain, the king was no way interested in the change it produced. It was not Charles II. but a republican parliament, that was deprived of the supreme power by Cromwell. Though he had been subjected to this parliament; though he had miscarried, and himself been ruined by his ambition, the king's affairs would have received no advantage, since the parliament was not less his enemy than Cromwell. Of what therefore do they complain with respect to the king? It must be one of these two things, either that Cromwell was too wise, to suffer himself to be supplanted by all the efforts of the royalists; or that, after seizing the supreme power, he did not restore it to the king, to whom alone it belonged; that is, that Cromwell did not at once turn royalist, and entirely change his principles. But this charge lies no more against Cromwell, than against all the independents and presbyterians, who were at least three parts in four of the kingdom, and who, no more than Cromwell, thought it proper to declare for the king.

As for the republicans, they have not left us many writings on their side. The only memoirs of that party, which I know of, are those of Edmund Ludlow. It appears there, that the republicans were enraged against Cromwell, and deemed him the most perfidious of men. This is not very strange, since he had wrested from that parliament the sovereign power, seized by these republicans without any lawful authority. But, what was this parliament? It was an assembly of independents, anabaptists, fanaticks, enthusiasts, and others of no religion, who, under colour of establishing a free commonwealth, held the nation in servitude; who, to confirm their own authority, had treated their fellow members with unheard of violence, and dared to imbrue their hands in the blood of the late king, at a time when he had almost granted every thing that was desired; who, in short, were industrious to break the union of the church, to subvert all religion, or introduce the most ridiculous and extravagant one. Was it therefore more eligible for England to be governed by these men, than by a Cromwell? If, therefore, Cromwell be blameable, it is not for dissolving a parliament,

Ludlow, t. II. throughout. Burnet, p. 65.

1658. which certainly deſerved to continue no longer, and had ſtrangely abuſed the power they had aſſumed. But if, after the diſſolution of that parliament, Cromwell had reſtored the king, (for this, in all appearance, is what the royaliſts would have) he had drawn upon himſelf the hatred and curſes of all England, which, at that time, was by no means diſpoſed to ſuch a reſtoration, whatever the royaliſts may ſay. He was, therefore, to do one of theſe three things; either to reſtore the king, contrary both to his own principles, and to thoſe of the preſbyterians and independents; or to abandon the ſtate to a horrible anarchy, which muſt have followed, if he had left things in the ſtate they were in after the diſſolution; or to take himſelf the adminiſtration of the government, unleſs he had intruſted it with ſome other perſon, which, in reſpect of the juſtice of the action, had been the ſame. Let it now be examined, which was moſt advantageous for England, conſidering her circumſtances, and whether it was not better, he ſhould himſelf take the government, than attempt a reſtoration, in which he could never have ſucceeded? Since his ſole ſupport was the army, which at that time was very oppoſite to the king, not to mention the oppoſition he would have met from the republicans and preſbyterians. On ſuppoſition that he was in the right to diſſolve the parliament, was it not alſo better for him to aſſume the government, than relinquiſh the ſtate to a fatal anarchy? Thoſe who pretend, he had long before projected his advancement, ſpeak only by conjecture. They conſider not, that he had never been in a condition to form ſuch a deſign, before the battle of Worceſter; nor that this parliament, which he diſſolved, had, in ſeeking to ruin him, reduced him to a neceſſity of deſtroying them for his own preſervation.

But what cannot be juſtified in his conduct, is, his throwing himſelf, from the beginning of the parliament, into a violent party, which aimed at the ruin of church and ſtate; his directing afterwards that party; and his being the chief author of the violences put upon the parliament and the king. This, however, is ſlightly paſſed over, becauſe it is common to him with the whole independent party; and yet, it is, in my opinion, the only thing he can juſtly be reproached with, and on which it is hardly poſſible to excuſe him.

Welwood. The ſecond charge againſt him is, his exceſſive diſſimulation; but here we are to diſtinguiſh. If it be true, as is pretended, though without proof, that he carried his diſſi-

mulation so far, as to mock God and religion, by expressing a piety and devotion which he had not, and by making long prayers, full of seeming zeal. If it be true, that his mouth uttered what his heart never meant, no man ought to endeavour to vindicate him. But his strong byas to enthusiasm is well known; and who can affirm, it was rather out of hypocrisy than real persuasion? We are not rashly to ascribe to men inward motives, which no mortal can know. His dissimulation, practised for the better management of the several parties, all equally his enemies, has nothing that I can see, very blameable in it, unless it was a crime, not to leave it in the power of his enemies to destroy him with ease. I shall just mention some of his methods to maintain himself in his dignity, by which it may be judged whether Cromwell's dissimulation is to be justly imputed to him as a crime. 1658. Warwick's Mem. Burnet, p. 79.

The parliament he dissolved, was composed of independents, republicans, enthusiasts, or fifth-monarchy-men. If this parliament had continued longer, things would have been carried to the last extremity. They began to talk of pulling down the churches, discharging the tithes, destroying the clergy, and every thing that looked like the union of a national church. The presbyterians, who knew this, were in continual apprehensions of their executing their designs, and consequently, the dissolution of this parliament was considered by them, as a great happiness. Cromwell, to gain their confidence, positively promised, he would maintain their ministry on the foot of the present establishment, and kept his word, though he was far from being presbyterian. By this means, the presbyterians were attached to his interest, by reason of their dread to fall again under the tyranny of the independents. Whitelock, p. 560, 681. Burnet, p. 67. Ibid.

In the republican party were two sorts of men, whom it was very difficult to govern. The one were deists, or men very indifferent as to religion, who acted only upon the principles of civil liberty. The others were enthusiasts, who expected every day when Christ should appear to reign upon earth. These were the most difficult to manage, because they would not hear reason, when it contradicted their headstrong and violent zeal. Cromwell's accepting the protectorship was considered by them as a step to kingship, to which they were such enemies, that they affirmed it to be the great antichrist, that hindered Christ's reign upon earth. Cromwell found means so to divide these two parties, that all combinations betwixt them for his ruin became impossi- Ibid.

1658. ble. To the deiſts, he made himſelf merry with the extravagant zeal of the fanaticks; and to theſe, he talked of the others as of heathens and infidels. But as the enthuſiaſts were the moſt obſtinate, he intimated to ſome of them, that he would rather have taken a ſhepherd's ſtaff than the protectorſhip, had it not been to prevent every thing from running into confuſion: that he would reſign this dignity with more joy than he accepted it, as ſoon as things ſhould be ſettled: that nothing was more contrary to his inclination and principles, than a grandeur which obliged him to aſſume an outward ſuperiority over his fellow-labourers. To convince them of what he ſaid, he frequently called them into his cloſet, and ſhutting the door, made them ſit covered, familiarly talking with them as his equals. Commonly theſe diſcourſes ended in a long prayer. It is not to be doubted, but there was in this much diſſimulation. The queſtion is, whether it was ſo criminal as it is pretended?

Id. p. 68. Phillips, p. 631.

Burnet, p. 68.

He had likewiſe chaplains of all ſorts. So, hinting ſometimes to one, ſometimes to another, that he was not averſe to their principles; the report was ſpread throughout the whole party, and made each hope for an advantageous change.

He took care to have ſpies amongſt all the parties, and was thereby fully informed of what was contriving againſt his perſon or government[1]. Among others, he gained ſir Richard Willis, chancellor Hyde's agent for conveying the king's orders to his friends in England. All the royaliſts confided in Willis, knowing he received the king's orders; and yet he betrayed them. But to keep the correſpondence more ſecret, Cromwell aſſured him, that the informations from him ſhould only be uſed to diſconcert the plots of his enemies, that none might ever ſuffer for them; and if he impriſoned any of them, it ſhould only be for a little time, and on other pretences. By that means, he defeated their deſigns, as by accident, in committing them to priſon for

Burnet's Hiſt. p. 65, 66, 67.

[1] He laid it down for a maxim, to ſpare no coſt or charge in order to procure intelligence. When he underſtood what dealers the Jews were every where in that trade, that depends upon news, the advancing money upon high or low intereſt, in proportion to the riſque they run, or the gain to be made as the times might turn, and in the buying and ſelling of the actions of money ſo advanced, he brought a company of them over to England, for which ſome ſay, he received a conſideration of two hundred thouſand pounds, and gave them leave to build a ſynagogue. Burnet, p. 71. ——— Among other good regulations, he alſo appointed a council of trade, to conſider how to improve, order and regulate, the trade and navigation of the commonwealth. Whitelock, p. 632.

ſuppoſed crimes, and releaſing them when their meaſures were broken. 1658.

He ſometimes intimated a willingneſs to treat with the king. Probably, his aim was to engage the royaliſts to offer propoſitions, which would have given him opportunity to amuſe them and prevented any conſpiracies againſt his perſon; for he was informed from ſeveral parts of deſigns to aſſaſſinate him. Wherefore he affected to ſpeak publickly of aſſaſſinations with the utmoſt deteſtation, and to declare, he would never begin them, but if an attempt was made upon his life, and miſcarried, he ſhould not ſcruple to uſe the ſame method, and that he did not want inſtruments to execute it, nor money to reward them. This declaration kept the royaliſts in awe, through a fear of their own danger, or that of the king and royal family. Burnet, p. 65.

If this conduct of Cromwell be conſidered impartially, it will, doubtleſs, appear, that his diſſimulation and artifices for his own preſervation, were not ſo criminal as they have been repreſented. What has moſt offended thoſe who ſpeak of them with moſt paſſion, is, that they were proper to diſconcert the projects of his enemies. The diſſimulation of queen Elizabeth, for the ſame reaſon, has been extolled, though ſhe uſed it only for her own preſervation.

The third and laſt charge againſt Cromwell, is, cruelty, for having, whilſt protector, put ſome men to death for conſpiring againſt his perſon and government. That is, according to this reproach, he ſhould have patiently ſuffered the plots againſt him, and when one failed, liberty ſhould have been given for a ſecond and a third, till ſome one had ſucceeded. This deſerves no confutation. But to ſhow, that Cromwell was not for an unneceſſary effuſion of blood, we need only recite what is owned by the earl of Clarendon in his hiſtory, who aſſures, that when it was propoſed in a council of officers, that there might be a general maſſacre of the royaliſts. Cromwell would never conſent to it. Clarendon, III. p. 509.

To finiſh Cromwell's character, I will add, that in the beginning of the long parliament, he was a preſbyterian. After that, he threw himſelf into the independent party, and was even one of their leaders, and affected to be of the number of the enthuſiaſts. But when he had accepted the protectorſhip, he was neither preſbyterian, nor independent, nor republican, nor enthuſiaſt. As he had to manage all theſe different parties, who were equally oppoſite to him,

1658. he was not to appear an enemy to any in particular, and this management furniſhes convincing proofs of his great ability.

It is, nevertheleſs, certain, that Cromwell was very much hated, while he lived, by all the parties then in England, though they could not help fearing and eſteeming him. But if it be now conſidered, that the prejudices againſt him are not ſo ſtrong as they were then, it will be found that the hatred of him was owing to intereſt, and founded chiefly upon his ability to diſconcert the meaſures and deſigns of all the parties. This general hatred is ſolely referred to his principal action; that is, to the uſurpation of the government, which equally diſguſted the royaliſts, preſbyterians, and republicans. The royaliſts thereby ſaw their hopes more deſperate than ever of the king's reſtoration. The preſbyterians could hardly expect, by their intrigues, to render themſelves once more ſuperior in the parliament, after the diſſolution. The republicans were enraged to ſee the ſupreme power, which they had aſſumed, wreſted from them. It is therefore no wonder, that he has incurred ſo much cenſure, ſince all the people of England, that is theſe three parties, were equally concerned to aſperſe him. It was not for the enormity of the action, but becauſe, by his advancement, each party deſpaired of acquiring the ſuperiority over the reſt. This is what has drawn from many writers, expreſſions ſo injurious to his memory. The lord Clarendon ſpeaks thus of him and his uſurpation. "Without doubt "no man with more wickedneſs ever attempted any thing, "or brought to paſs what he deſired more wickedly, more "in the face and contempt of religion, and moral honeſty. "Yet wickedneſs, as great as his, could never have accompliſhed thoſe deſigns without the aſſiſtance of a great "ſpirit, an admirable circumſpection and ſagacity, and a "moſt magnanimous reſolution." It is eaſily ſeen, that this wickedneſs is referred only to his uſurpation of the government. "In a word, (continues the ſame author) as he was "guilty of many crimes, againſt which damnation is denounced, and for which hell-fire is prepared, ſo he had "ſome good qualities which have cauſed the memory of "ſome men in all ages to be celebrated, and he will be "looked upon by poſterity as a brave wicked man." Here the author, no doubt, has an eye to the murder of Charles I. in which Cromwell was too deeply concerned for me to pretend to excuſe him. I ſhall only obſerve, that this acid. p. 506. p. 509.

cuſation

cuſation is not peculiar to him, but is common to him with the whole independent parliament. 1658.

To form a juſt and rational idea of Cromwell's character, his conduct and actions in themſelves muſt be examined, and joined to the juncture of the time, independently of the opinions of his enemies. We have no other hiſtorians of thoſe times than the royaliſts, who have laid down certain principles, by which he is condemned. But, it muſt be obſerved, theſe principles were not generally received, in England, during his life. What can never be entirely excuſed in him, is the death of Charles I. to which he contributed to the utmoſt of his power, and which will be an indelible blot upon his memory. Another principle, and of which he made great uſe, is likewiſe to be condemned in him: which was, that moral laws were only binding on ordinary occaſions, but might be diſpenſed with upon extraordinary caſes, which is abſolutely falſe. His uſurpation of the government has been already conſidered, and the reader is left to his judgment. I ſhall only obſerve, that the confuſion which prevailed in England, ſoon after the death of Cromwell, clearly ſhows the neceſſity of that uſurpation. Burnet, P. 79.

In general it can't be denied, that Cromwell was one of the greateſt men of his age, if it is conſidered, that without the advantages of birth or fortune, he roſe ſo near a throne, that it was in his power to mount it. Hiſtory furniſhes very few inſtances of this kind [k].

Cromwell's death was followed with ſo many alterations in the government, that the interval between that and the reſtoration, may be juſtly called a time of true anarchy. Cromwell ſhould have had a ſucceſſor like himſelf, to finiſh what he had ſo ably begun. But two ſo great men are not commonly found ſo near one another, nor often in the ſame age.

[k] The wife of Oliver Cromwell, was Elizabeth daughter of ſir James Bourchier. Life, p. 2.——His mother, who was daughter of Sir Richard Steward, muſt have lived to a very great age, for ſhe was buried in Weſtminſter Abbey, November 17, 1654. Whitelock, p. 608.

THE

THE HISTORY OF ENGLAND.

BOOK XXII.

PART III.

RICHARD CROMWELL, *Protector.*

IN the laſt days of Cromwell's illneſs, ſome of his moſt intimate friends, ſeeing him in danger, aſked him twice concerning the ſucceſſion, and not readily anſwered, he would have his ſon Richard to ſucceed him. He had however, in the time of his protectorſhip, ſigned an inſtrument by which he appointed Fleetwood his ſon-in-law for his ſucceſſor; but probably he had burnt that paper, for it could never be found [1]. An hour after his death, the privy council met, and upon the report made of the will of the deceaſed, as alſo upon the inſtrument of government, impowering them to chuſe a protector, they immediately elected Richard Cromwell. Fleetwood even relinquiſhed before them, the right, he might have, in caſe the paper ſigned

1658.

Richard Cromwell ſucceeds his father. Whitelock, p. 674. Life of Cromwell, p. 405. Ludlow. Heath. Phillips.

[1] Some ſay, that Oliver had actually made Fleetwood his heir; but one of his daughters knowing where his will was, took it away, and burnt it, before Fleetwood could come at it: and a few minutes before Cromwell's death, when he was aſked, "Who ſhould "ſucceed him?" He replied, "In "ſuch a drawer of the cabinet, in my "cloſet, you will find it." Life of Cromwell, p. 405.

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1658. in his favour, ſhould be found. Preſently after, the lord mayor of London was acquainted with the election, and the day following Richard was proclaimed protector of the commonwealth of England, Scotland and Ireland. The ſame proclamation was made in all the principal towns of the three kingdoms, without the leaſt oppoſition. On the contrary, addreſſes were preſented to Richard from all parts, ſigned by many thouſands to congratulate him upon his acceſſion to the dignity of protector, and to aſſure him, they would willingly hazard their lives and fortunes to ſupport him. But ſuch addreſſes are not always to be depended upon, experience having often ſhown, they are far from being ſincere, though generally expreſſed in the ſtrongeſt terms. Thus Richard was inſtalled ſucceſſor to his father Oliver, and took the ſame oath. The firſt care of the new protector, after his inſtallation, was to gain Monk, governor of Scotland, to his intereſts. After the voluntary reſignation of Fleetwood his brother-in-law, of Deſborough his uncle, and all the officers of the army, as well republicans as preſbyterians, he ſeemed to have nothing to fear from England. Henry Cromwell his brother, then governor of Ireland, held that iſland in ſubjection. Scotland therefore only remained to be ſecured to his intereſts. Monk had commanded in that kingdom, ever ſince his reduction of it, and had ſo artfully managed the Scots, ſometimes by rigour, ſometimes by gentleneſs and the exact diſcipline of his army, that he had acquired their eſteem and affection, who were never more happy than under his government, though the earl of Clarendon inſinuates that he ruled like a tyrant, which ſeems to have no other foundation, than his diſabling the Scots to withdraw their obedience from the parliament or the protector, by means of forts erected in convenient places. However this be, it is certain, Monk was maſter of Scotland, and Cromwell himſelf would have found it difficult to deprive him of that government againſt his conſent. Many blamed the confidence Cromwell repoſed in Monk, who had borne arms for the late king, and only engaged in the ſervice of the parliament, to free himſelf from captivity after the battle of Nantwich, where he was taken priſoner. It was, perhaps, for theſe ſuſpicions, that Richard thought himſelf obliged to neglect nothing to gain him to his intereſts. For this purpoſe, knowing Monk's eſteem and affection for Clarges his brother-in-law, he ſent him to deſire his friendſhip. But Clarges, as well as Monk, had been zealouſly attached to the king, and was ſtill ſo in his heart, though outwardly

Receives addreſſes from all parts. Clarendon, III. p. 513. Whitelock. R. Coke. t. II. p. 77. Heath.

Endeavours to gain the friendſhip of Monk.

Burnet, p. 61. R. Coke, t. II. p. 82.

Clarendon in ſeveral places of his hiſtory.

Phillips, p. 636.

Sends Clarges to him.

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he complied with the times. So, in the diſcharge of this commiſſion, he took occaſion to ſound him, and eaſily found he was far from being the king's enemy. From that time Monk and Clarges held a ſtrict correſpondence. Clarges informed Monk of the tranſactions at London, and, in all appearance, deſigned them to ſerve the king, though perhaps he did not yet think proper to explain himſelf to Monk, who was very reſerved. Clarges, according to his inſtructions, acquainted Monk with the new protector's great eſteem for him, in which he followed the ſentiments of Oliver his father, who had expreſſly charged him to be entirely directed by his advice. Monk readily ſubmitted to Richard's government. He obligingly acknowledged his civilities, and only told him, in general, that having no particular advice to give him, by reaſon of his diſtance, he recommended to him to encourage a learned, pious, and moderate miniſtry in the church, to permit no councils of officers, a liberty they had too often abuſed, and to endeavour to be maſter of the army. 1658.

Monk ſubmits to Richard.

At the beginning of his protectorſhip Richard had, as I ſaid, the pleaſure of receiving addreſſes from burroughs, cities, and counties, to the number of fourſcore and ten, and afterwards, he had the like compliment paid him from all the regiments, without any exception, ſo that he had reaſon to believe his power ſufficiently eſtabliſhed. Mean while, preparations were making for Oliver's funeral, which was ſolemnized with great magnificence, large ſums of money being borrowed for the purpoſe by the new protector [b]. After the ceremonies uſually paid to deceaſed ſovereign princes, his body was depoſited in Henry VII's chapel, amongſt thoſe of the kings and queens of England [c].

Other addreſſes to Richard from the army, R. Coke, p. 77. Ludlow. Oliver's funeral, Heath, p. 411. Phillips.

[b] The charges of it came to ſixty thouſand pounds. Manley, p. 279.

[c] The corps was removed, September 26. privately in the night, from Whitehall, to Somerſet-houſe; where it lay in ſtate till the 23d of November; and then it was carried, in a very ſolemn and magnificent manner, to Weſtminſter Abbey, where it was depoſited.——Some ſay, that it was depoſited, as to outward appearance there, but that in reality, it was carried below bridge, and thrown into the Thames.——And again, others affirm, that it was buried in Naſeby fields. See Compl. hiſt. and life of Cromwell, p. 418—422. Old colonel Barkſtead who lived to the year 1720, and had an office in the Tower when Cromwell died, conſtantly affirmed the truth of his being buried in Naſeby fields, and that he attended the corpſe thither privately in the night in a coach and four. He related many circumſtances of the affair to a friend of one of the tranſlator's correſpondence who ſent him theſe particulars.

Though

1658. Though the late protector was both careful and capable to preſerve himſelf amidſt the parties then in England, and to keep them in awe, it was not however in his power to extinguiſh them. When he was taken out of the world, each party hoped to gain the advantage under the protectorate of Richard, who had not his father's qualities, and to theſe hopes perhaps muſt be aſcribed their ready concurrence in declaring him protector. The royaliſts juſtly flattered themſelves, that the different parties into which their enemies were divided, having no longer a common head capable to govern them all together, would diſ-unite, and that diſunion be ſerviceable to the king, and perhaps procure his reſtoration. Thoſe who had approved of the government by a ſingle perſon in the deceaſed protector, and had been moſt truſted by him, hoped to preſerve the ſame credit under the ſon, which they had enjoyed under the father, and to direct the new protector according to their pleaſure. Theſe were the principal members of the council, though they had alſo amongſt them a mixture of republicans and fanaticks.

The different factions conceive hopes from Richard's advancement.

The royaliſts.

The republicans. If the republicans had conſented to acknowledge Richard, it was becauſe they were unprepared to make any oppoſition. The army, chiefly compoſed of that party, being diſperſed in ſeveral counties, the officers had neither time nor opportunity to conſult together. But they deſpaired not of finding an occaſion to diſplace the new protector, and reſtore the commonwealth to the ſtate it was in, till the year 1653, when Oliver diſſolved the parliament which had formed it.

The anabaptiſts. Burnet, p. 67. The anabaptiſts were all of the republican party, becauſe they perceived the impoſſibility of eſtabliſhing their fifth monarchy under a protector. Theſe were the moſt zealous republicans, and the hardeſt to be managed, on account of their ſingular notions, which cauſed them to refer every thing to their extravagant religion, and rendered them deaf to any reaſons not drawn from their principles.

The republican deiſts. There was another ſet of republicans, who regardleſs of religion, were governed by political views. They were accuſed of having no religion, or of being properly deiſts.

The presbyterians. As for the preſbyterians, who were very numerous in England and Ireland, beſides the Scots, who were almoſt all of this ſect, they had not changed their principles, ſince their expulſion from the parliament in 1648. They would have gladly

gladly admitted the king with a limited power, and the firm eſtabliſhment of preſbyterian government in the church. This principle had always cauſed them to remain by themſelves, without being able to unite either with the royaliſts, who would hearken to no limitation upon the king's power, and were averſe to their church government, or with the republicans, who would have neither king nor protector. Beſides, theſe granted an entire liberty to all ſects, which had joined the independent party, a liberty which was inconſiſtent with the principles of the preſbyterians. For, though the preſbyterians had under the reigns of Elizabeth, James I. and Charles I. taken it very ill to be denied the free exerciſe of their religion, they were by no means inclined to grant others the ſame liberty they had demanded for themſelves. Nevertheleſs, as their number was conſiderable, and they might at laſt find a leader capable to conduct their affairs, the deceaſed protector thought it proper to manage them, and preſerve their government in the church, but without obliging any perſon to conform to it. This moderation kept the preſbyterians quiet under Oliver's government, and the more, as they could expect no aſſiſtance from the army, as it was then modelled. But in remaining thus ſeparate from all the other parties, they diſabled themſelves from making any great progreſs againſt the independent party, who took care to keep them low. This gave the royaliſts room to hope, the preſbyterians would at laſt be obliged to unite with them, to free themſelves from the ſervitude in which they were held by the independents and republicans. The ſequel will ſhow, this hope was not groundleſs. 1658.

This ſhort recapitulation of the intereſts of the ſeveral parties, plainly demonſtrates Cromwell's capacity, who could keep them all in awe, without a poſitive declaration in favour of any one party. Richard propoſed to begin his protectorate with his father's maxims. He formed the deſign of making himſelf maſter of the deliberations of his council, and of reducing the army to receive his orders with ſubmiſſion. By theſe two things Oliver maintained his authority, and if he had lived, he would not have left an officer in the army of ſuſpected fidelity. But to purſue theſe maxims and execute this project, Richard ſhould have had his father's capacity for civil and military affairs, his bravery and reſolution, and, in a word, by a ſeries of victories, ſhould have been able to ſtrike terror into all who could oppoſe his deſigns. But Richard had none of theſe great talents to command fear and reſpect, or to inſpire his friends with hopes of a power- Richard's deſigns to become maſter of the council and the army. Phillips.

1658. a powerful protection. So, heading no party, and being incapable to govern all, he ſtood expoſed to their ambition and violence, without being ſure of an effectual aſſiſtance when he ſhould want it. Mean while, knowing that the bare election of his perſon by the council, and the addreſſes preſented to him, were inſufficient to eſtabliſh his authority, he believed it expedient to have his dignity confirmed by parliament, and accordingly ſummoned one to meet the 27th day of January 1658-9. This parliament was to conſiſt of two houſes, namely, a houſe of commons, containing four hundred Engliſh, thirty Scotch, and thirty Iriſh members; and of the other houſe (for as yet it had no other name) which was inſtead of a houſe of peers, and conſiſted chiefly of officers. They were generally men of no birth, who had advanced themſelves by military poſts, during the laſt war.

Calls a parliament of two houſes, Dec. 4. Clarendon, III. p. 514. Whitelock. Phillips.

1658-9. Richard had made no change in his father's council, but he was ſoon ſenſible, that this council, which was entirely directed by Oliver, was aſpiring to more power under his ſucceſſor. On the other hand, the army appeared leſs devoted to the ſon than to the father. They had even begun before Oliver's death, to appear leſs ſubmiſſive, which had obliged him to remove Lambert, and ſome other colonels and officers, who were ſowing diviſion among the troops. His deſign was to make other changes, by degrees, in the army, in order to reduce them to an entire obedience, but he was prevented by death. He wanted no aſſiſtance nor advice for ſuch purpoſes, and commonly his deſigns were executed before they were publickly known; and ſo well eſtabliſhed was his authority, that no officer whatſoever retained any credit amongſt the troops, the moment he was caſhiered. This Lambert and ſome others had lately experienced. Richard was deſirous to tread in his father's ſteps, but being ſenſible that his authority was not great enough, he thought he ſhould attempt nothing, without conſulting ſome of his principal friends. He therefore held a privy council, in which he propoſed, firſt, the admiſſion of more new counſellors, to ſecure a majority and make himſelf maſter of the debates, in ſpite of the old counſellors, who were leſs tractable than in the time of his father. Secondly, he propoſed to reduce the army to an entire dependence upon him [d].

Richard propoſes an addition of new members to his council. Phillips, p. 639.

Meets with great difficulties. Phillips.

His

[d] The officers of the army were then divided into three parties. The firſt, or commonwealth party, conſiſted of colonel Aſhfield, Lilburn, Fitz, Maſon, Moſs, Farly, Creed, &c. The ſecond, called the Wallingford houſe,

or

His friends, whom he conſulted on this occaſion, were ſelf-intereſted and attached to him, only in hopes of governing in his name. They apprehended, the protector's propoſal might be prejudicial to themſelves, and that in procuring him an abſolute power, they might be the firſt ſufferers. He therefore found a ſtrong oppoſition in theſe pretended friends. Inſtead of approving his deſign, they adviſed him to call into his council two colonels, wholly devoted to the republican party. Nor was this all; ſome of the leading officers of the army were informed of the protector's deſigns, and that was ſufficient to put them in motion. Fleetwood his brother-in-law and Deſborough his uncle, were the firſt to combine againſt him and cabal with the officers, to deprive him of the generalſhip of the army, to which they were authorized by the inſtrument of government. But, probably, they would never have thought of uſing that power, if Richard had not diſcovered his intentions of becoming abſolute maſter of the army, and putting himſelf in a condition not to want their aſſiſtance. However, as the army lay diſperſed, and it was neceſſary, that the officers ſhould conſult together, and act in concert for the preſervation of their authority, and the oppoſing the protector's deſigns, a ſnare was laid, in which he ſuffered himſelf to be taken. It was inſinuated, that the parliament which was going to ſit, might prove dangerous to his authority, ſhould they not be tractable, and therefore it was neceſſary to fortify himſelf with a good number of officers, as well to conſult them, as to ſhow the parliament, he was ſupported by the army, which could not but produce a good effect. Richard believing, this advice proceeded from their zeal for his ſervice, was eaſily perſuaded to order every regiment to ſend to London as many officers as could be ſpared. This order was punctually executed, and immediately a great number of officers appeared in London, who formed amongſt them a council, which frequently met, and aſſumed the title of the great council of the army.

1658-9.

The principal officers of the army combine againſt him. Phillips, p. 639. Ludlow.

Adviſe him to call a great number of officers to London. Ibid. Ludlow, t. II. p. 640.

Theſe officers formed a great council. Offer a petition to the protector. Phillips. R. Coke. t. II. p. 73. Baxter.

Beſides this great council, ſome members of the privy council, and officers of the army met alſo at Deſborough's houſe, as well to conſult how to deprive Richard of the generalſhip, as to direct the great council, which being com-

or army party, who had ſet up Richard Cromwell, in expectation of governing as they pleaſed, were, Fleetwood, Deſborough, Sydenham, Clark, Keiſey, Berry, Haines, Blackwell, &c. The third, or Richard's party, were, Ingoldſby, Gough, Whalley, Howard, Goodrick, Kemp, &c. Ludlow, tom. II. p. 631.

1658-9, posed of many inferior officers, wanted to be directed in their deliberations. The result of this council was, that Desborough, attended with several officers, waited on the protector with a petition, "That no officer or soldier should "be turned out but by sentence of a council of war; that "no member of the army should be proceeded against "capitally, otherwise than by martial law: and lastly, "that the army might have power to chuse their own ge-
He rejects it. "neral." As nothing was more contrary to Richard's designs than this demand, he positively rejected it, and threatened even to cashier them if they brought him any more such proposals.

The parliament meets. Jan. 27. Clarendon, III. p. 514. The parliament assembling the 27th of January [e], it was immediately debated in the lower house, by what right the Scots and Irish sent representatives to the English parliament. The authority of the other house was also taken into consideration, and the same objections made to it, as had been in Oliver's last parliament. As there were many republicans in the house of commons [f], great endeavours were used to suppress the other house, for fear of its becoming at last a house of lords, and opposing the re-establishment of the commonwealth, which was the object of their most ardent wishes. The debate upon these two articles held two whole months, and it was the 28th of March before it was resolved, by a majority of voices, that the other house should subsist, and the Scotch and Irish representatives continue to sit in the house of commons. After that, the parliament made an act, to recognize Richard Cromwell for protector of England, Scotland, and Ireland [g].

Debates about the Scotch and Irish members, and the other house. Whitelock. R. Coke. Phillips. Ludlow. Decision.

An act to recognize Richard. Whitelock. Heath.

While these things were transacting in parliament, the great council of officers at Fleetwood's house, and the private council at Desborough's continued their conferences and deliberations. At last, they presented a petition to the protector, desiring Fleetwood for their general. This was directly depriving the protector of the command of the army,

1659.

Petition of the officers in favour of Fleetwood. April 6. Whitelock. Clarendon, III. p. 515. Phillips.

e Challoner Chute, was chosen speaker of this parliament. Whitelock, p. 676.

f Particularly Haslerigge, Henry Nevil, sir Henry Vane, Berry, Desborough, Fleetwood, &c. Idem, p. 677.

g. In the examination of the publick accounts, brought into this parliament, it was found, that the yearly incomes of England, Scotland, and Ireland, came to eighteen hundred sixty eight thousand, seven hundred, and seventeen pounds. And the yearly expences to two millions, two hundred and one thousand, five hundred and forty pounds. And to maintain the conquest of Scotland, cost yearly, one hundred sixty three thousand, six hundred, and nineteen pounds. Heath, p. 415.

to

to which he could not consent, without exposing himself to the caprices of the principal officers, who directed the army as they pleased. Wherefore, instead of returning a favourable answer to their petition, he sharply reprimanded them, ordering them to dissolve their council, and return to their quarters. On the other hand, the house of commons perceiving, the officers were contriving some plot which might be prejudicial to the parliament, voted against the holding a council of officers during the session of the parliament; and moreover, that no person should have any employ in the army, till he had taken an oath not to disturb the deliberations of the parliament. Immediately after, these votes were sent to the other house, now called the upper house, for their concurrence. But as the officers were most prevalent there, they believed it no part of their duty to contradict what their comrades were doing. So, the votes of the commons were no more capable, than the orders of the protector, to dissipate the councils of the officers who still continued to assemble.

1659.

Rejected by the protector. Clarendon, III. p. 515.

Vote of the commons against the officers. Id. p. 516. Phillips. R. Coke. Heath. Ludlow.

The officers force the protector to dissolve the parliament. Clarendon, III. p. 516, Phillips.

At last, on the 22d of April, Richard had notice, that the officers had resolved to force him to dissolve the parliament. He immediately assembled his council to prevent, by their advice, this attempt. Some were of opinion, that he ought absolutely to refuse such a demand, and adhere to the parliament, as his only support. But he was not directed to the means to defend himself against the officers, who began to assemble in the neighbourhood of Whitehall, and would probably have been too strong for his guards. Others advised him to leave Whitehall, and suffer the officers to do as they pleased with the parliament, without any promise to dissolve it. But the officers, foreseeing, he might take that course, had now seized all the avenues about Whitehall. In short, every man proposed expedients, to which others objected insuperable difficulties. During these irresolutions, Desborough, with a strong retinue, demanded an audience of the protector, and required him, in the name of the officers, to dissolve the parliament [b]. Richard at first refused to grant this demand; but he was told, his refusal would be attended with danger to himself, and that, in a word, they were resolved to obtain, by fair means or foul, what they demanded. In fine, Richard, who, before Des-

R. Coke. Whitelock, p. 677. Bates. Ludlow, t. II. p. 636. Clarendon, III. p. 516, 517. Phillips. p. 641.

[b] Threatening, if it were not speedily done, they would set fire to the house, and kill all who should resist. R. Coke, p. 79.

1659. borough came, had not been able to take any reſolution, was ſtill more incapable to conſider what was to be done, after he was ſurrounded with men who ſhowed but little regard for his authority. He therefore promiſed to diſſolve the parliament by commiſſion under the great ſeal. But as the commons, informed of what paſſed, had adjourned themſelves for three days, the parliament was diſſolved by proclamation.

April 22. Whitelock.

Richard loſes all his credit.

From that time, Richard was no longer regarded, tho' he ſtill bore the title of protector. The officers conſidered him as an impotent enemy, incapable of hurting them. So he loſt on a ſudden the ſupport of the parliament, without gaining that of the army. This is what cannot be denied. But thoſe who imagine, that if he had ſtood by the parliament, he would have engaged the people in his intereſts, and been ſupported by Monk and his army, build their conjecture upon a very uncertain ſuppoſition. Beſides, was it in his power to refuſe a diſſolution of the parliament, without hazarding his own life, or to ſupport himſelf, till he ſhould have received a ſufficient aid, againſt the violences of the army? Be this as it will, after the parliament was diſſolved, the great council of officers thought themſelves impowered to ſettle the government as they pleaſed, without conſulting the protector, who was now regarded but as a private perſon [1]. This anarchy however laſted only a few days, during which the officers elected Fleetwood for their general. They diſcharged alſo by their own authority five colonels, who adviſed Richard to adhere to the parliament, namely, Ingoldſby, Goff, Whaley, lord Falconbridge brother-in-law to Richard, and Howard afterwards earl of Carliſle, and reſtored Lambert and others diſmiſſed by Cromwell a little before his death. After this, they conſidered of ſettling the government, it being impoſſible for things to continue long in their preſent ſituation.

The officers ſeize the government. Phillips.

Chuſe Fleetwood for their general, and diſcharge ſeveral colonels. Clarendon, III. p. 517. Phillips. R. Coke. Ludlow.

Lambert was a man of immoderate ambition, and would not have ſcrupled to follow the example of Oliver, had the

Lambert's deſigns. Ludlow. t. II. p. 642.

[1] Ludlow ſays, one great offence given by Richard to the nation was, by his irreligion. For an officer having murmured at the advancement of perſons, who had been cavaliers, to commiſſions in the army, was brought to Whitehall to anſwer for it. Richard, in a deriding manner, aſked him, "Whether he would have him prefer none "but thoſe that were godly? here, "continued he, is Dick Ingoldſby, "who can neither pray nor preach, "and yet I will truſt him before you "all." Mem. tom. II. p. 633.

juncture

juncture ſeemed favourable to him. But Fleetwood being his general, and the idol of the army, he could not hope to ſucceed in an attempt to ſeize the government. He therefore thought proper to wait a more favourable opportunity, and, in the mean time, hinder Fleetwood from putting himſelf at the head of the government, whether under the name of protector, or any other title, to which he had ſeveral reaſons to believe he was aſpiring. Firſt, Cromwell had once named him for his ſucceſſor by an inſtrument under his own hand; and many believed this inſtrument had been artfully conveyed out of the way, either during Cromwell's life, or after his death, leaſt it ſhould obſtruct his ſon Richard's election. It was even ſaid, that Cromwell's nomination of his ſon in the time of his illneſs, was only the contrivance of ſecretary Thurlo, and another perſon, to procure the ſucceſſion for Richard. Secondly, Fleetwood was one of the moſt zealous enthuſiaſts, of whom the army was full, and therefore looked upon with veneration by the ſoldiers, and judged moſt worthy to be Cromwell's ſucceſſor. Thirdly, it was hardly to be doubted, that it was the intereſt of the army to chuſe a protector, who ſhould depend on them, and in his turn ſupport their credit. This Lambert conſidered, but as it was not for his advantage to have Fleetwood raiſed to a dignity to which he himſelf aſpired, he ſecretly engaged colonel Lilburn to cabal among the inferior officers, and break Fleetwood's meaſures, if they pointed to the protectorſhip, whilſt he regularly made his court to him, and endeavoured by his flatteries to influence him as Cromwell had formerly influenced Fairfax. This example made Lambert hope, that he might the ſame way put himſelf one day at the head of the government. 1659. April 29. Phillips. p. 642. Warwick. Ludlow.

Lambert's cabal being made with the greateſt ſecrecy, Fleetwood, as general, convened his officers to Walling-ford houſe to ſettle the government. All the ſuperior officers came, but at the ſame time the inferior by the intrigues of Lambert and Lilburn, aſſembled at St. James's in much greater numbers. In this aſſembly the ſettlement of the government was likewiſe debated, and occaſion taken, to magnify the happineſs which England enjoyed under the adminiſtration of the parliament, from the 6th of December 1648, to the 20th of April 1653, when it was diſſolved by Cromwell. Their prudence, ſteddineſs, and happy ſucceſs in England, Scotland, Ireland, and in the Dutch war were extolled, with ſome intimations of advice, that nothing

1659. could be more advantagious to the three nations, than the reſtoration of that parliament [k].

The officers come to a reſolution of reſtoring the parliament diſſolved by Cromwell in 1653. May 5. Phillips. p. 643. Whitelock, p. 677. Clarendon, III. p. 517. Dugdale's View.

This debate was carried no farther; but it ſufficed to convince the aſſembly at Wallingford House that a diviſion between them and the inferior officers could not but be dangerous to both, and that their beſt way was to join with the inferior officers in reſtoring the long parliament. It is not known what was the deſign of the chief officers with regard to the government, but it is certain, the propoſal of the inferior officers was contrary neither to the principles nor the ſentiments of the army in general. This will be eaſily perceived, when it is conſidered, that the officers and ſoldiers, for the moſt part were independents, anabaptiſts, enthuſiaſts, republicans, ſuch in a manner as were the members of the parliament diſſolved in 1653, and now propoſed to be reſtored, However this be, all the officers being united,

May 6. declared for the good old cauſe, that is, for the cauſe ſupported by the parliament, which brought the king to the ſcaffold, and turned the monarchy into a commonwealth. It was therefore reſolved in a general council at Fleetwood's houſe, to reſtore the long parliament.

They have a mind to take ſome precautions for their ſecurity. Phillips, p. 643. Ludlow. t. II. p. 645.

Mean while, as this parliament had no reaſon to be pleaſed with the army, which, in 1653, took part with Cromwell againſt them, the great officers were afraid, that when the members were reſtored to their authority, they would think of being revenged. Beſides, they knew the reſolution and firmneſs of theſe members, who would infallibly keep the army in a ſtate of dependence. The officers therefore judged it abſolutely neceſſary, before they proceeded to demand certain conditions, and to be previouſly aſſured of that compliance of the parliament, when they ſhould reſume their authority. For that purpoſe, they had conferences with ſome of the members, who had been the leading men in the parliament, namely, Vane, Haſlerig, Scot, Salway to engage them to promiſe, theſe conditions

[k] Whitelock ſays, upon the diſſolution of the parliament, all matters were at a ſtand; the army had thoughts of raiſing money without a parliament; but upon advice, they durſt not adventure upon it, but thought it a ſafer way to reſtore the members of the long parliament. The great officers of the army were adviſed to conſider better of their deſign of bringing in the members of the old parliament, who were moſt of them diſcontented, for their being formerly broken up by Cromwell, and did diſtaſte the proceedings of the army; and whether this would not probably, more increaſe the diviſions, and end in bringing in the king; but the officers had reſolved on it. * Mem. p. 677.

ſhould

should be granted. But these members would not make any such promise, under colour, it did not belong to them to preclude the resolutions of the parliament. This refusal rendered them suspected to the superior officers, but the inferior, being the most numerous, overlooked this difficulty, and were contented with a verbal promise from these four members, that they would use their endeavours to procure a grant of these conditions. 1659. But meets with difficulties.

THINGS being thus settled, Lambert at the head of a considerable number of officers[l], repaired to the house of Lenthal, speaker of the long parliament, and presented to him the declaration of the great council of officers, by which the members of the parliament dissolved by Cromwell April the 20th 1653, were invited to return to the exercise of their authority. Lenthal answered, he would communicate the declaration to the members then in London, which he did the next day, and, the invitation being accepted, they met in parliament the 7th of May, to the number of only forty two[m]. Thus the three nations were once more under the tyrannical dominion of a parliament, which had not feared to imbrue their hands in the blood of their sovereign: but with this difference, that the number was reduced to the half of what it was in 1648, when the presbyterian members were excluded. Hence they were called in derision the rump parliament, in allusion to a fowl all devoured but the rump. The presbyterian members, who had been expelled in 1648, would have resumed their seats, but none were admitted besides those who had sat, from the first of January 1648, to the 20th of April 1653, and in this the pretended parliament was supported by the officers, whose interest it was, not to suffer the presbyterians to prevail in the house. The parliament dissolved in 1653, is restored May 7. Whitelock, p. 678. Phillips. Heath. Id. p. 419. R. Coke, p. 80. Called in derision, the rump, and why. The presbyterian members not suffered to take their seats in the house. Clarendon, III. p. 517, 518. Heath.

When the parliament was restored to their authority, they sent Clarges to Monk, to engage him to submit to the new government. They knew, Monk was not of their principles, and if they had dared, instead of desiring his acqui- The parliament send Clarges to Monk. Phillips, p. 644. Burnet.

[l] Lambert, Berry, Cooper, Hasserigge, Lilburn, Ashfield, Salmon, Zanchey, Kelsey, Okey, Blackwell, Haines, Allen, Packer, and Pierson. Whitelock, p. 678.

[m] See a list of them in Heath, p. 419 ——May 7. They went in a body to the house, Lambert guarding them with soldiers. Then they passed a declaration touching their meeting, and "their purpose to secure the property and liberty of the people, both "as men, and as christians, and that "without a single person, kingship, "or house of peers, and to uphold "magistracy and ministry." Whitelock, p. 678.

I° escence

1659. eſcence, they would have ſent him a ſucceſſor, to govern Scotland. But Monk had ſo eſtabliſhed himſelf in that country, that being maſter of the fortified places, and aſſured of the affection of the Scots and of his army, it would have been dangerous to deprive him of his government againſt his will. It was therefore judged ſafeſt by the parliament to gain him by fair means, and undermine by degrees his credit and authority in the army. Monk had ſo little foreſeen the late change in England, that he had not time to take any meaſures to regulate his conduct. When he ſounded his officers, he found they were preingaged by letters from their friends in London. So, all he could do after the arrival of Clarges, was to acquieſce, and expreſs his ſatisfaction to ſee the parliament reſtored, though he was convinced, the leading men both in the parliament and army were not his friends.

Monk ſubmits to the authority of the parliament. Clarendon, III. p. 520. Whitelock. Phillips.

Four days after the parliament met, Lambert, attended by ſeveral officers, preſented a petition and addreſs from the general council of officers, in which after ſome compliments, they demanded,

The officers preſent a petition to the parliament. May 12. Phillips, p. 644.

" 1. That the liberty of the perſons, and property of " the eſtates of all free people of theſe nations, be main- " tained, preſerved, and kept inviolable, according to law, " under the government of a free ſtate and common- " wealth, without a ſingle perſon, kingſhip, or houſe of " peers.

" 2. That there may be ſuch a juſt and due regulation " of law, and courts of juſtice and equity, as that they " may be a protection, and not vexatious or oppreſſive to " the people of theſe nations.

" 3. That by an act of oblivion, all and every perſon " and perſons, who have, ſince the 19th of April 1653, " mediately or immediately adviſed, acted, or done any " matter or thing whatſoever, in reference to the ſeveral " changes or alterations in the government of theſe na- " tions, ſince the ſaid 19th of April 1653, or in order to " the publick ſervice, peace, or ſafety of theſe nations, be " indemnified and ſaved harmleſs, to all intents and pur- " poſes whatſoever.

" 4. That all laws, ordinances, declarations, and eſta- " bliſhments, made in the ſeveral changes and alterations " of government, that have been in theſe nations, ſince the " 19th of April aforeſaid, and not as yet particularly re- " pealed, be deemed good in law, until particularly re- " pealed.

" 5.

" 5. That ſuch debts as have been contracted for the 1659.
" publick ſervice and affairs of this commonwealth, and
" for the charges of the government, ſince the 20th of
" April 1653, be carefully paid and ſatisfied.

" 6. That all perſons who profeſs faith in God the fa-
" ther, and in Jeſus Chriſt his eternal ſon the true God,
" and in the holy ſpirit God co-equal with the father and
" the ſon, one God bleſſed forever, and do acknowledge
" the holy ſcriptures of the Old and New Teſtament, to be
" the revealed or written word or will of God, ſhall not
" be reſtrained from their profeſſion, but have due encou-
" ragement, and equal protection in the profeſſion of their
" faith, and exerciſe of religion, whilſt they abuſe not their
" liberty to the civil injury of others, or diſturbance of o-
" thers in their way of worſhip: ſo that this liberty be not
" extended to popery or prelacy, nor to ſuch as ſhall
" practiſe or hold forth licentiouſneſs or prophaneneſs, un-
" der the profeſſion of religion: and that all laws, ſtatutes,
" or ordinances, and clauſes in any laws, ſtatutes, or ordi-
" nances to the contrary, may be declared null and void.

" 7. That a godly, faithful, and painful goſpel preach-
" ing miniſtry be every where encouraged, countenanced,
" and maintained.

" 8. That the univerſities and ſchools of learning be
" ſo countenanced and reformed, as that they may become
" the nurſeries of piety and learning.

" 9. That ſuch perſons as have, at any time ſince the
" 20th of May 1642, aided, or aſſiſted, or adhered to the
" late king, Charles Stuart his ſon, or any other perſon
" or perſons whatſoever of that party, againſt the parlia-
" ment or commonwealth of England, and all other per-
" ſons whatſoever, that have made uſe of any authority or
" power under pretence of law, or otherwiſe, to deprive
" or abridge any of the good people of theſe nations of
" their chriſtian liberty, or have, or ſhall expreſs themſelves
" in any way mockers, ſcoffers, or revilers of godlineſs, or
" of the profeſſors thereof, or are otherways ſcandalous or
" loofe in their converſations, or have not given good ſa-
" tiſfaction of their affection and faithfulneſs to this cauſe,
" may be ſpeedily removed out of all places of power or
" truſt in the magiſtracy, or other management of the
" publick affairs of theſe nations; and that no ſuch perſons
" may be admitted unto any ſuch place of power or truſt
" for the future.

" 10.

1659. " 10. And forasmuch as no godly, or other good interest can be preserved, or maintained, unless the persons, " who are chiefly entrusted with the management and exercise of the government, be of suitable spirits to those " interests; that those who are or shall be intrusted therein, " be such persons as shall be found to be most eminent for " godliness, faithfulness, and constancy to the good cause " and interests of these nations.

" 11. That to the end the legislative authority of this " commonwealth may not, by their long sitting, become " burthensome or inconvenient, there may be effectual pro- " vision made for a due succession thereof.

" 12. And for the better satisfaction, and more firm " union of the forces of this commonwealth, in this juncture of affairs, for preserving and maintaining the principles, and other matters thereunto subservient, we do " unanimously acknowledge and own the lord Charles " Fleetwood lieutenant general of the army, to be commander in chief of the land forces of this common- " wealth.

" 13. That in order to the establishing and securing the " peace, welfare, and freedom of the people of these nations, for the ends before expressed, the legislative power " thereof may be in a representative of the people, consisting of a house, successively chosen by the people, in " such a way and manner as this parliament shall judge " meet, and of a select senate, co-ordinate in power, of " able and faithful persons, eminent for godliness, and such " as continue adhering to this cause.

" 14. That the administration of all executive power " of government, may be in a council of state, consisting of a convenient number of persons qualified, in all " respects, as aforesaid.

" 15. That all debts contracted by his late highness, " or his father, since the 15th of December 1653, may be " satisfied, and that an honourable revenue of ten thou- " sand pounds per Annum, with a convenient house, may " be settled upon him and his heirs for ever; and ten thou- " sand pounds per Annum more upon him during life, and " upon his honourable mother, eight thousand pounds per " Annum during her life, to the end a mark of the high " esteem this nation hath of the good service done by his " father, our ever renowned general, may remain to poste- " rity.'

The

The parliament returned a general answer to this petition, and thanked the army for their affection to the publick. Then, taking it into consideration, they approved of all the articles in general, but appointed a particular committee to examine those which concerned the government. As to what related to Richard Cromwell and his mother, it was not to be debated, till they should be assured of his submission to the government. For this purpose, a committee was sent to inform him of the resolutions of the house, and to require his acquiescence in the late change. The day after, Richard delivered to them the following answer in writing: 1659. The parliament's answer. Phillips, p. 647. Clarendon, III. p. 394.

"I have perused the resolve and declaration which you "were pleased to deliver to me the other night, and for "information touching what is mentioned in the said re- "solve, I have caused a true state of my debts to be tran- "scribed, and annexed to this paper, which will shew what "they are, and how they were contracted. The protector Richard's submission to the powers in being. Phillips, p. 647.

"As to that part of the resolve, whereby the committee "are to inform themselves, how far I do acquiesce in the "government of this commonwealth, as it is declared by "this parliament:

"I trust, my past carriage hitherto hath manifested my "acquiescence in the will and disposition of God, and that I "love and value the peace of this commonwealth much "above my own concernments; and I desire, that by this, "a measure of my future deportment may be taken, which, "through the assistance of God, shall be such as shall bear "the same witness, having, I hope, in some degree, learned "rather to reverence and submit to the hand of God, than "than to be unquiet under it. And (as to the late pro- "vidences that have fallen out amongst us) however, in res- "pect of particular engagements that lay upon me, I could "not be active in making a change in the government of "the nations; yet, through the goodness of God, I can "freely acquiesce in it being made; and do hold myself ob- "liged as (with other men) I expect protection from the "present government, so to demean my self with all peace- "ableness under it, and to procure to the utmost of my "power, that all in whom I have any interest do the "same."

RICHARD CROMWELL.

When

1659. When the parliament examined the account of Richard's debts, the article of expences for his father's funeral was rejected, ſo that Richard was forced to pay that debt out of his inheritance, which ſwept away the greateſt part of his eſtate, which was not very large, conſidering Cromwell's advancement during his life. As to the revenue, and annual penſion deſired by the officers for Richard and his mother, the parliament referred the conſideration of them to another opportunity, and contented themſelves with aſſigning twenty thouſand pounds for the payment of his private debts [n]. The members had but too much cauſe to complain of Oliver Cromwell, who had deceived, and ſhamefully diſmiſſed them, to think themſelves obliged to do ſo much honour to his memory, and beſtow ſo great advantages on his widow and ſon. When they granted him the twenty thouſand pounds, they required him to remove from Whitehall in ſix days [o].

The parliament grant him but 20000 l. to pay his debts, and order him to quit Whitehall. Phillips. Whitelock.

It may be obſerved in the 12th article of the petition of the officers, that, as they expreſſed themſelves, they did not intend to leave to the parliament the liberty of not appointing a general, or of naming any other than Fleetwood, ſince, inſtead of petitioning, they ſaid in that article, "We do "unanimouſly acknowledge the lord Charles Fleetwood to "be commander in chief of the land forces of the com-"monwealth." The parliament thought it not proper then to examine the manner in which this article was expreſſed, for fear of raiſing ſome difference between them and the army, at a time when they derived their authority only from the declaration of the officers who had reſtored them. Fleetwood therefore was appointed commander in chief of the land forces of England, Scotland, and Ireland, but only for one year. This reſolution being taken, the parliament voted, that Fleetwood ſhould have power to ſign and ſeal ſuch commiſſions, for the conſtituting of officers under him, as ſhould be approved by the parliament, and nominated by ſir Henry Vane, ſir Arthur Haſlerig, lieutenant-general

Fleetwood appointed general but for one year only. Phillips. Whitelock.

Ludlow. t. II. p. 660. Phillips.

Ludlow. Ibid.

[n] Whitelock ſays, that his debts were in all, twenty-nine thouſand, ſix hundred, and forty pounds. p. 681. And Ludlow, that the parliament ordered twenty thouſand pounds to be preſently paid him, and paſſed a reſolution to pay thoſe debts he had contracted on the publick account. Tom. II. p. 665.

[o] After the reſtoration he went to France, and continued ſome years in obſcurity at Paris; but upon the rumour of a war between France and England, he removed to Geneva. Some years before the death of king Charles II. he returned to England, and died at Cheſhunt in Hertfordſhire in 1712. Life of Cromwell, p. 432.

Fleetwood,

1659.

Fleetwood, and the colonels Lambert, Deſborough, Ludlow, Berry, or the major part of them, who were made commiſſioners for that purpoſe. But upon the ſecond reading of the bill, the clauſe impowering Fleetwood to ſign commiſſions was altered, and it was ordered, that all commiſſions, both to the commiſſion-officers of the army, and the captains of the fleet, ſhould be ſigned by the ſpeaker of the parliament of the commonwealth of England, to be written by the clerks attending the council of ſtate [p], and delivered to the officers gratis by the ſpeaker, in the parliament houſe. This was a plain indication, that the parliament pretended, that the officers ſhould owe their advancement to them alone. The ſame day the parliament voted, That the government of Ireland ſhould be by commiſſioners, nominated and appointed by parliament, and not by one perſon, and that Henry Cromwell ſhould be acquainted with the order, and required forthwith to repair to the parliament. He peaceably ſubmitted, though, in all probability, if he had been inclined to reſiſt, the new governors would have found it difficult to remove him. He was extremely beloved in Ireland, both by the army and the Engliſh inhabitants, having never injured any perſon, but, on the contrary, obliged every one, as far as lay in his power. But, doubtleſs, not thinking himſelf ſecure of ſucceſs, and receiving no orders from his brother, he was unwilling to undertake ſo important an affair. All the hiſtorians are unanimous in their praiſes of him, and generally believe, that if he had been protector inſtead of his elder brother, the officers would have met with their match, or not attempted what they undertook againſt Richard.

The parliament orders all military commiſſions to be ſigned by the ſpeaker. Clarendon, III. p. 520. Ludlow, v. II. p. 656, 660, 664. Whitelock.

Provides for the government of Ireland, and recalls Henry Cromwell. Clarendon, III. p. 518. Ludlow, p. 666. Phillips.

His good character. Clarendon, Ibid.

Fleetwood, Deſborough, Lambert, and the reſt of the principal officers, were by no means pleaſed with the proceedings of the parliament, but knowing, the inferior officers conſidered their dependence on the parliament as an advantage

The parliament enter upon meaſures to make themſelves maſter of the army. Phillips, p. 648.

[p] The parliament had named a council of ſtate, for the more immediate executive power. It was to conſiſt of thirty one perſons, whereof twenty one were to be members of parliament, and ten not. The twenty one were, Whitelock, ſir James Harrington, ſir Arthur Haſlerig, ſir Henry Vane, Thomas Chaloner, Henry Nevil, chief juſtice St. John's, Thomas Scott, Robert Reynolds, Wallop; lieutenant-general Fleetwood, major Saloway, colonel Morley, Algernoon Sidney, Walton, Dixwel, Thompſon, Sydenham, Jones, Downes, and Ludlow: the ten were, preſident Bradſhaw, lord Fairfax, major-general Lambert, ſir Anthony Aſhley Cooper, ſir Horatio Townſend, colonel Deſborough, Berry, Barnes, Johnſon, and Honywood. Ludlow, vol. II. p. 656. They had alſo nominated the judges and commiſſioners of the great ſeal, a new one being made different from the old, &c. Whitelock, p. 679.

1659. vantage, they diſſembled their reſentments, and received their commiſſions from the ſpeaker. On the other hand, the parliament believed it of the utmoſt importance to be maſter of the army; which they flattered themſelves, would enable them to rule peaceably and abſolutely, and, without doubt, perpetuate their authority. But till this was done, they ſaw they were to expect a ſtrong oppoſition, conſidering the reſtleſs temper of the principal officers, who were ever ſeeking to make themſelves neceſſary, for fear of loſing their poſts. This was the firſt and almoſt open deſign of the parliament. For this purpoſe, the committee appointed to examine commiſſions was continued, who knowing the intentions of the houſe, made great alterations in the army, diſplacing ſuch as were ſuſpected, and ſubſtituting others of more aſſured fidelity. The ſame thing was done to the army commanded by Monk, and many officers being removed, others were appointed to ſucceed them, and thoſe
Ibid. that were diſplaced were moſt confided in by Monk. Clarges had now acquainted Monk with the parliament's deſigns, which were very manifeſt, and Monk had but too much cauſe to perceive them by the alterations the committee would have made in the army of Scotland. He writ to the committee ſo as to ſhow them, he plainly ſaw their deſign to undermine his authority. He uſed ſome expreſſions in his letter, which made the parliament apprehenſive there would be danger in driving a man to extremities, who had twelve thouſand men, and all Scotland at his diſpoſal. For this reaſon, the officers, appointed by the committee to go into Scotland, received orders, not to proceed on their journey. But this was only to gain time, in expectation of a more favourable opportunity.

They continue the monthly tax upon the three kingdoms. Phillips, p. 649. Ludlow, t. II. p. 668.

The 18th of June the parliament voted the continuation of the monthly aſſeſſment of thirty five thouſand pounds, impoſed by the parliament of the year 1656. Then, commiſſioners were named for the civil government of Ireland, and a commiſſion granted to Edmund Ludlow, who was one of the king's judges, and a moſt zealous republican, to command the forces of that country.

A conſpiracy of the royaliſts in favour of the king. Clarendon, III. p. 521. Phillips.

Mean time, the parliament having received confuſed intimations of a plot forming in favour of the king, the royaliſts had orders to withdraw twenty miles from London. This intimation was not groundleſs. In March this year, the king, by a declaration, had impowered commiſſioners to treat in his name with thoſe, who having been againſt him or his father, were willing to return to his obedience.

These commiſſioners ſpared neither pains nor promiſes, to increaſe the number of the king's friends, and certainly there could not be a more favourable opportunity. All were weary of the tyranny of an independent parliament, conſiſting of forty perſons, and of an army, whoſe officers were moſtly fanaticks, and who, under colour of promoting piety, and extending the kingdom of Chriſt, had only their intereſt in view. The preſbyterians themſelves, and the members of that party, who had been expelled the houſe in 1648, ſeeing little appearance of ever recovering the ground they had loſt, and that nevertheleſs they remained expoſed to the tyranny of the independents and fanaticks, agreed at laſt with the king's party, to deliver the nation from the ſervitude to which it was reduced. The particulars and terms of this union are not known, becauſe the hiſtorians who ſpeak of it, being all royaliſts, have not thought fit to do ſo much honour to the preſbyterians. But it can't be concealed, that from this time, the preſbyterians no longer appeared as the king's enemies, but on the contrary, as will hereafter be ſeen, very much promoted his reſtoration. 1659.

The preſbyterians inclinable to join with them. R. Coke, p. 81.

It was on the hopes, that the preſbyterians would aſſiſt, or at leaſt not oppoſe them, that the royaliſts projected an inſurrection in ſeveral parts of the kingdom, in expectation, it would at laſt become general. For this purpoſe, they intended to ſeize at once Glouceſter, Lynn, Plymouth, Exeter and Cheſter. They believed their meaſures ſo well taken, that they doubted not of ſucceſs. For they ſtill relied on the people's affection for the king, in which they were often miſtaken. Mr. Mordaunt croſſed the ſea, to inform the king of the project, which he thought ſo well laid, that he repaired ſecretly to Calais [q], and then to St. Malo's, to be nearer England, in caſe the plot ſucceeded. But this project vaniſhed like the reſt. Sir Richard Willis who, as I have ſaid, betrayed the king's party, informed Thurlo of it, and Thurlo the council of ſtate, who immediately put the militia in ſafe hands, and took other precautions, which invincibly obſtructed the execution of the project. Maſſey was taken in attempting to ſurprize Glouceſter, but found means to eſcape. The lord Willoughby of Parham, and ſir Horatio Townſend, who were gone to the weſt [r] to ſerve the king, were arreſted and ſent to priſon. There was only

The project of an inſurrection. Clarendon, III. p. 521. Phillips, p. 649.

Are betrayed by Willis. Clarendon, III. p. 522, &c.

Sir George Booth ſeizes Cheſter,

[q] Where he ſtaid ſome time, before he went to St. Malo's.

[r] They undertook to ſecure Norfolk and Lynn for the king. Thoſe that deſigned to act in the weſt, were, Arundel, Polland, Greenvil, Trelawny, &c. Clarendon, tom. III. p. 521, 522.

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1659. sir George Booth, who aſſembling about four or five thouſand men, took Cheſter, and publiſhed a manifeſto againſt the tyranny of the parliament, without any mention of the king, intending to make the publick believe, that the people's diſcontent was the ſole motive of his taking up arms. Sir Thomas Middleton joined him with ſome troops, but theſe two united bodies were ſo inconſiderable, that Lambert, who marched againſt them, by order of parliament, eaſily defeated them, and retook Cheſter. Sir George Booth *had the good fortune at firſt to eſcape*, but was taken ſome days after in woman's clothes, and brought to the Tower of London. Middleton retired to a caſtle of his own, which held out but few days. It did not appear on this occaſion that the people had the king's intereſt much at heart [a].

and publiſhes a manifeſto. July. M. p. 526. Whitelock. Ludlow, t. II. p. 685. &c.

Joined by ſir Thomas Middleton.

Defeated by Lambert. Aug. 19. Clarendon, III. p. 527. Whitelock. Phillips.

During theſe tranſactions, the king's friends not doubting of ſucceſs, ſent the reverend Nicolas Monk, the general's brother, into Scotland, to engage him in the king's party. Some have pretended, that Monk, full of hopes, that the king's party in England would ſucceed, was upon the point of marching to ſupport them, but was ſtopped by the news of Booth's defeat, and forced to feign himſelf entirely devoted to the parliament. I cannot eaſily believe that Monk ſo early thought of ſerving the king. However, it can't be denied, that the parliament looked on Monk as a man in whom they could not confide, becauſe his principles were very far from fanaticiſm, which then infected both parliament and army. This the parliament plainly ſhowed, immediately after Booth's and Middleton's defeat by Lambert. For judging that victory would keep Monk in awe, they readily confirmed the changes before intended in the army of Scotland. Monk was ſo offended with this proceeding, that he writ to the ſpeaker, to deſire his diſmiſſion, but Clarges his brother-in-law prevailed with the ſpeaker not to communicate this letter to the parliament, who doubtleſs would not have failed to grant his requeſt.

Monk the clergyman ſent by the royaliſts to general Monk. Auguſt. Clarendon, III. p. 548. Phillips.

The Scotch army reformed by the parliament, which offends Monk. Phillips, p. 650. Skinner.

As the peace between France and Spain was to be treated at St. Jean de Luz, by the prime miniſters of the two crowns, the king believed his preſence at this negotiation might procure him ſome advantage. He therefore departed for Fontarabia in September, and croſſed the kingdom of France incognito. I ſhall ſpeak preſently of the ſucceſs of

The king goes to Fontarabia. September. Clarendon, III. p. 531, 532.

[a] After this defeat, the parliament thought of tranſporting the loyal families into Barbadoes, Jamaica, and other plantations; and by degrees ſo to model the army, that they might never give them more trouble. Clarendon, tom. III. p. 541.

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this journey, but muſt firſt relate the change which happened in England. 1659.

The principal officers of the army, who kept in London, were ſtill highly diſpleaſed with the parliament, plainly perceiving, their deſign was to become maſter of the army. Wherefore, they began to think of means to prevent this deſign, and maintain themſelves in their credit and poſts. They had for that purpoſe ſeveral ſecret meetings. But one difficulty was to be ſurmounted, before any reſolution could be taken. This was, that the inferior officers were very well pleaſed with the parliament, who greatly careſſed them, intending to uſe them, to get rid of their commanders. Lambert, who commanded the forces about Cheſter, was entirely in the party of Fleetwood and Deſborough, knowing, the parliament had no better intentions for him, than for the others. Beſides, his chief aim was to procure a perpetual confirmation of the generalſhip to Fleetwood, in hopes to govern and make uſe of him for his own advancement to that poſt, as Cromwell had before done to Fairfax. Though he was abſent from London, he was informed of what paſſed at their meeting, and gave his advice. At laſt, after many deliberations, it was reſolved, that Lambert ſhould try to gain the inferior officers of his army, which was leſs difficult, than to gain the officers of the reſt of the army, who were diſperſed in different quarters. Purſuant to this reſolution, Lambert coming to Derby, ſo managed, that his officers, whom he had carefully inſpired with diſcontent, met to draw a petition, which, before it was offered to the parliament, was to be communicated to Fleetwood, for the approbation of the general council of officers. Sir Arthur Haſlerig having received advice that the petition was come to London, informed the commons, and told them, the army was contriving a very dangerous plot, of which it was neceſſary to prevent the conſequences. Upon this declaration Fleetwood was examined by the parliament, whether he knew any thing of the petition? He anſwered, he had a copy of it, and the original was in the hands of three officers, whom he named. Whereupon he was ordered to give notice to theſe officers to attend the houſe that afternoon with the petition, which was done, and the petition read. The ſtile was in the faſhionable language of that time, amongſt thoſe who pretended to a more exalted piety. The ſubſtance of it was to this effect:

Conferences of the army-officers to prevent the deſigns of the parliament. Phillips, p. 654.

Lambert though abſent has a great ſhare in them. R. Coke, p. 81.

His officers ſend the plan of a petition to be offered to the parliament. Sept. 16. Clarendon, III. p. 541. Phillips. R. Coke. Whitelock. The parliament informed of it. Ludlow, t. II. p. 719. Orders the petition to be laid before it.

Demands of Lambert's officers. Phillips, p. 655.

" 1. That the parliament would be pleaſed not to ſuffer " the petition of the general council of officers at Walling-" ford

1659. "ford houſe to be laid aſleep, as it was the beſt expedient "yet offered to a happy and durable ſettlement."

"2. That ſince a great many ill-affected perſons were "endeavouring to ſow diviſion in the army, the par-"liament would be pleaſed, for the preſervation of that uni-"on, wherein its greateſt ſtrength lay, to eſtabliſh firmly "the lord Fleetwood in the command of the army, whoſe "commiſſion was to expire in a few months, with Lambert "for his lieutenant-general, Deſborough for the command "of the horſe, and Monk of the foot.

"3. That conſidering the negligence of a great many "perſons intruſted with publick employs; the ill deſigns of "the enemies of the good cauſe; the activity of ſome to "favour thoſe deſigns, and the affection and zeal ſhewn by "others for a blameable neutrality, at a time, when their "aſſiſtance is moſt wanted; the parliament would be pleaſed "to make a diligent enquiry upon this ſubject, and proceed "to the depriving of the guilty of all their employs: that "on the contrary, ſuch as in this diſtracted juncture de-"clared willingly and cheerfully for the good cauſe, either "in the county troops, or militia volunteers, or otherwiſe, "may be looked on as friends, encouraged, ſatisfied in "their arrears, and inveſted with authority in their ſeveral "countries.

"4. That in the late inſurrections ſome conſiderable "corporations having aſſiſted the enemy, received and fur-"niſhed them with arms; the parliament would be pleaſed "to give ſome ſignal mark of their diſfavour againſt them; "and for the future ſo regulate the corporations, that per-"ſons well qualified, according to to the government of a "well conſtituted commonwealth, may be intruſted with "authority of the magiſtracy in any of the ſeveral towns, "that ſo the footſteps of monarchy may be rooted out.

"5. That all perſons whatſoever, magiſtrates, miniſters, "or others, who have ſecretly ſtirred up the inhabitants of "theſe nations to war and commotions againſt the parlia-"ament, and particularly to the late inſurrections, may be "proceeded againſt as the parliament in their judgment ſhall "think fit."

The parliament vote againſt it. Phillips, p. 656. Whitelock. Ludlow.

The houſe, in a debate upon this petition, the next morning voted, "That to have any more general officers in the "army than are already ſettled by the parliament, is needleſs, "chargeable, and dangerous to the commonwealth; and that "Fleetwood ſhall acquaint them with this reſolve [t].

[t] This vote was contrived and promoted by Haſlerig, Nevil, &c. Whitelock, p. 684.

Fleetwood

Fleetwood having communicated this vote to ſome officers at his own houſe, it was reſolved, that the petition ſhould not be inſiſted on, but, on the contrary, an addreſs offered to the parliament, to profeſs an adherence to their authority againſt the common enemy, and that they would ſtand by them in the ſettlement of the commonwealth, againſt all oppoſitions whatſoever; and that this ſhould be prepared and brought to be read, and conſidered by a general council of officers, to meet for that purpoſe, the 27th of September. 1659.

The great council of officers reſolve to preſent another petition. Phillips, p. 656.

Thoſe who had the care of preparing the addreſs, diſcharged their truſt, in a manner little agreeable to the intention of the perſons who ordered it, as will be ſeen preſently. However, the addreſs was approved in the general council of officers, by a majority of voices, and ſigned by two hundred and thirty officers, who were in and about London, but was not preſented till the 5th of October. In this interval of ſeven or eight days, the officers ſent a copy of the petition to general Monk for his concurrence, though they were reſolved not to ſtay for his anſwer. On the other hand, the parliament took all poſſible meaſures to hinder its being preſented, whether by ſatisfying the army in its arrears, or by ſowing diviſion amongſt the officers, as they knew the addreſs was not univerſally approved, the viſible aim whereof was, to beget a breach between the army and the parliament. But all their endeavours were fruitleſs. The 5th of October, Deſborough, with many other officers, went to the houſe to preſent the petition. It was introduced by a long preamble, in which it was pretended, That the intentions of the army were maliciouſly repreſented to the parliament by ill affected perſons, to create diviſion betwixt the parliament and the army; and that it was in juſtification of themſelves, from ſuch falſe accuſations, that they preſented this humble addreſs, containing the four following aſſertions:

The parliament tries to prevent it. Id. p. 657.

"We do humbly and plainly declare,

"1. That notwithſtanding what any perſons may ſuggeſt, or ſay to the contrary, we are not for, but againſt the ſetting up any ſingle perſon whatſoever in ſupreme authority: and for a demonſtration hereof we may appeal to your own judgments, upon our late actings, wherein, ſince our declaration of the ſixth of May laſt, we have, with all induſtry and faithfulneſs, endeavoured to render ourſelves ſerviceable to you and the commonwealth, and have chearfully obſerved your commands, ſome of us with our lives in our hands in your late ſervice: wherein

It is preſented. October 5. Phillips, p. 657.

1659. "to our great encouragement, the Lord hath once more "appeared to own you and your army, and the good old "cauſe, for which we have contended. And at the late re- "turn of this parliament to the diſcharge of their remain- "ing truſt, we did with ſimplicity and plainneſs, in our "humble petition and addreſs preſented to you, manifeſt our "hearts and deſires, and that with much unanimity and "fullneſs of conſent, which we apprehend was well ac- "cepted by you.

"2. That we have not ſince changed our principles lead- "ing to a well regulated commonwealth, wherein the li- "berties of the people thereof, both ſpiritual and civil, may "be fully ſecured, and perſons of known integrity, piety, "and ability, employed in places of truſt and concernment; "but reſolve, by the aſſiſtance of God, to remain conſtant "to them: and make it our humble prayer to God, that he "would incline your hearts effectually to proſecute the "ſame, and make you inſtrumental in bringing forth ſuch a "foundation of government, whereby all the good people "of theſe nations may rationally expect, that ſuch liberties "and rights ſhall be preſerved to them and their poſterities. "And we can truly ſay, that it is in our hearts earneſtly to "deſire that God would crown you with the honour of "making theſe nations happy, by ſuch a ſettlement as may "not be liable to every change of governors, and to have "the peace thereof diſturbed by introducing new govern- "ments.

"3. Whereas a petition and propoſals were lately drawn "up by the officers of the brigade, that (under the com- "mand of major-general Lambert) hazarded themſelves in "your ſervice with good ſucceſs, whereby, through the "bleſſing of God upon them, and others of your faithful "friends and ſervants, the peace of this commonwealth is "ſtill continued: and the ſaid petition was ſent up to ſome "officers here, to be preſented to the lord Fleetwood; "which had been by ſome interpreted to evil and ſiniſter "ends, and from thence ſuggeſtions derived, as if they were "intentions to violate the parliament, to ſet up a ſingle "perſon, or another general: in order thereunto, we do "ſincerely profeſs (whatever the deſign of any perſons "may be to promote ſuch cauſeleſs jealouſies) we have "had no other than faithfulneſs and candour in our hearts "and actions towards the parliament; nor do we appre- "hend (with ſubmiſſion we may ſpeak it) any reaſon or "cauſe of offence to be conceived againſt your faithful

"ſervants,

" ſervants, who lately gave ſo ample proof of their fide- 1659.
" lity and courage.

" 4. We cannot but eſteem our ſelves unhappy to have " been ſo miſrepreſented to the parliament, as ſhould oc- " caſion ſuch a publick admonition upon record: and con- " ſidering what evil uſe may be made of theſe things by the " publick enemy, and to the end they may be diſappoint- " ed of their hopes, and all ſuch perſons diſcouraged, as " ſhall go about for the future to promote jealouſies, or by " miſinformation, to beget diviſions betwixt the parliament " and their faithful ſervants the army; and that a good " underſtanding may be preſerved between them, we hum- " bly pray:

" 1. That the officers of the army, and particularly " thoſe who have reaſon to bear the marks of your fa- " vour for their faithfulneſs in the late northern expedi- " tion, may ſtand right in your opinion, and have your " countenance.

" 2. That whatſoever perſon or perſons ſhall for the fu- " ture groundleſly and cauſeleſly, inform the houſe againſt " your ſervants, thereby creating jealouſies, and ſcandalous " imputations upon them, may be brought to examination, " juſtice, and condign puniſhment.

" 3. That it being an undoubted right of the people to " have a liberty, in a peaceable and ſubmiſſive way, to " petition the ſupreme authority, which liberty hath been " by yourſelves aſſerted, allowed, and approved of; we " cannot but alſo aſſert the ſaid liberty, and humbly con- " ceive, that your faithful ſervants of the army, have no " ways forfeited their rights as freemen, and that there- " fore they hope it will be no offence for them to ſub- " mit their humble deſires to the parliament.

" 4. That you would be pleaſed to take into your ſeri- " ous conſideration, the neceſſitous condition of the poor " ſoldiery of your armies, and that all poſſible care may " be taken for their timely ſupply, their wants being ſuch " as earneſtly call for it: and that ſome ſpeedy and effec- " tual courſe may be taken to provide for the maimed ſol- " diers, and the poor widows and orphans of ſuch as have " been ſlain in your ſervice, that the bleſſing of God may " be upon you.

" 5. That ſuch who have freely offered themſelves in " the ſeveral counties and cities of theſe nations, to own " and ſtand by you and your cauſe in the late inſurrections, " with the hazard of all which is dear unto them, may

1659. "have your encouragement, and be employed in places of "truſt and command.

"6. That it being a thing granted by all, that without "due execution of martial diſcipline, the peace, union, "and good goverment of an army cannot be preſerved; "the diſcipline of the army may be preſerved inviolable, "and in particular, that no officer or ſoldier of the army "may be caſhiered, or diſmiſſed from their places, without "a due proceeding at a court martial, or by his own con- "ſent, except in caſes of reducement or diſbanding.

"7. That it being judged neceſſary by the parliament, "for the keeping of the army under ſuch a conduct, as "may render the ſame ſerviceable to the commonwealth, "to appoint a committee of nominations, for the propo- "ſing of officers to the parliament, for their approbation; "we humbly pray, that no officers may be brought into "the army, but ſuch as ſhall firſt come under the conſi- "deration of the ſaid committee, and be by them pre- "ſented.

"8. The office of the commander in chief of the army, "being of ſo great concernment to the peace of this com- "monwealth, and his commiſſion at preſent (as we con- "ceive) expiring within a few months, we humbly pray, "that the conſideration of that matter may come before "you, and ſome ſuch effectual courſe be taken therein, "as may prevent our fears, and the hazard of leaving the "army to confuſion.

"9. And that you would retain a good opinion of your "army, and, againſt all diſcouragement whatſoever, pro- "ceed in the carrying on of that good work intruſted in "your hands, for the glory of God, and advantage of theſe "nations. In the proſecution whereof, through the help of "our God, we ſhall be found (notwithſtanding all endea- "vours to the contrary) faithful to you and this common- "wealth."

The parliament offended, yet returns a mild anſwer. Phillips, p. 659.

How reſpectful ſoever the terms of this addreſs might be, the parliament were not pleaſed with the contents, as it ſeemed to teach them their duty, or rather to reproach them for neglecting it. They had forgot, that this was the language of the army to the preſbyterian parliament, in ſupport of the independent party, and how grateful it had been to them. It was manifeſt, the officers ſought an occaſion of quarrel, and the parliament was but too ſenſible of it. But they had no ſupport againſt the army, and the hopes of diviſion amongſt the officers, becauſe many oppoſed the preſenting

ſenting the addreſs, was their only reſource. For this reaſon, after ſome members had warmly inveighed againſt the inſolence of the officers, the houſe, however, returned a moderate anſwer, to gain time, and keep them in temper, whom they were unable to reſiſt. The officers therefore, who had delivered the addreſs, were called in and thanked by the ſpeaker, for their affection and faithfulneſs to the parliament; to which he added, that the parliament had already taken into conſideration the relief of the maimed ſoldiers, orphans, and widows; and had alſo ſettled a way for ſatisfaction of the arrears due to the army, and would endeavour to bring the ſame to ſpeedy effect. 1659.

Deſborough brought the anſwer to the general council of officers, who aſſembled that day. But as they were informed of the ſpeeches againſt them in the houſe, it was ſuſpected, that the parliament intended only to gain time, to ſtrengthen themſelves, or to change the conſtitution of the army. Wherefore, they reſolved to cauſe their addreſs to be ſigned by all the regiments in England, Scotland, and Ireland, and to write to them on that ſubject, which was done the ſame day. The officers diſtruſtful of the parliament. Ibid.

Two days after, the parliament receiving a letter from Monk, with aſſurances of his entire obedience, returned him a gracious anſwer, letting him know the high eſteem they had of his ſervices, with a promiſe to revoke all the orders which might have given him any cauſe of diſguſt. Skinner. Monk writes ſubmiſſively to the parliament.

The parliament and officers thought it of great importance to gain Monk to their intereſt. The parliament's hopes of that general's good diſpoſition towards them, gave them a little more firmneſs than they had at firſt ſhown. So, in their debates upon the propoſals of the officers, a particular anſwer was returned to each article, and the officers given to underſtand, that their complaints were cauſeleſs, and the parliament neither obliged nor pleaſed to give them an account of their conduct. This anſwer convinced the officers, that things were come to that point, that they were either to ſubmit to the parliament, or endeavour a diſſolution. But they could not reſolve to ſubmit, without trying firſt to render themſelves ſuperior. To that end, Lambert marched his brigade towards London, and appeared there himſelf to ſupport his friends. The parliament on their ſide, ſeeing a breach with the army was not very remote, haſtily paſſed an act, to declare it high treaſon to levy money upon the people without the conſent of parliament. Herein their aim was to hinder the army's ſubſiſtence. They did The parliament returns a haughty anſwer to the addreſs from the officers. October 10. Phillips. p. 659. Lambert comes to London, and draws his forces thither. Clarendon, III. p. 542. The parliament makes an act injurious to the army. Phillips. p. 660.

1659. did ſtill more: For Monk the clergyman being arrived from Scotland, with aſſurances from his brother the general of his ſupporting the parliament, and marching to their aſſiſtance, if required, Lambert, Deſborough, and ſome other principal officers, who had ſigned the addreſs, were diſplaced by the parliament. Then they annulled Fleetwood's commiſſion, and named commiſſioners [u] for the government of the army, from the 11th of October to the 22d of February. But theſe proceedings not being ſupported with power, the officers received the parliament's orders with ſcorn.

Caſhiers ſeveral of his officers, and vacates Fleetwood's commiſſion. Phillips. Whitelock. Clarendon, III. p. 542. R. Coke. Ludlow. t. II. p. 722.

Mean time, the council of ſtate, being informed that Lambert was aſſembling the army, ordered two regiments to Weſtminſter, to guard the parliament, whoſe colonels and officers were devoted to them, and had refuſed to ſign the addreſs. This did not prevent Lambert from executing his deſign. Having drawn ſome regiments into London, on the 13th of October he ſecured all the avenues, to the parliament [w]. Preſently after, the ſpeaker appearing in his coach, as he was going to the houſe, was ſtopped by Lambert, and forced to return. Then he ſent to the colonels of the two regiments in Palace-yard, to retire to their quarters. which they refuſing to do, he ſmiled and bid them ſtay there as long as they pleaſed. But at the ſame time, he took care to ſtop all the members who were going to the houſe, and hinder them from entering [x]. So the parliament, as well for want of a ſufficient number of members, as for the abſence of the ſpeaker, not being able to ſit that day, the two regiments placed at Weſtminſter to ſecure them from violence retired, after having remained there till night. They were no ſooner gone, than Fleetwood ſeized the poſts, and placed a ſtrong guard at the door of the parliament-houſe, to hinder the members from aſſembling. Next day the diſcontented officers caſhiered, by their own authority, thoſe of the two regiments appointed to guard the parliament, and ſent others to fill their

Lambert aſſembles the army. Two regiments ordered to Weſtminſter by the council of ſtate for ſecurity of the parliament. R. Coke. Lambert hinders the ſpeaker from going to the houſe. Clarendon, III. p. 543. The members not ſuffered to aſſemble. Ludlow. t. II. p. 723——726. The parliament's guard retires. A guard placed by Fleetwood at the door of the parliament-houſe.

[u] Fleetwood, Monk, Haſlerig, Walton, Merley, Overton, and Ludlow. Ludlow, tom. II. p. 722.

[w] Whitelock ſays, Evelyn who commanded the life guard of the parliament, marching forth with his troop, was met by Lambert at Scotland yard gate, who commanded him to diſmount, which he thought ſafeſt to do, though at the head of his troop, and though Lambert was alone, and on foot. The troop alſo obeyed Lambert, which he placed along King-ſtreet, and ſtopped the ſpeaker. Memb. p. 685.

[x] Sir Peter Wentworth alone, being rowed by ſome able watermen, broke through the guard on the river, and got into the houſe. Ludlow, tom. II. p. 725.

places.

places. The ſoldiers obeyed the new officers, and abandoned the old. 1659.

This anarchy laſted ten days, before the officers now grown ſuperior, thought of ſettling any form of government. All they did, was to nominate ten of their own body to form a council, to take care of the moſt urgent affairs. Then they declared Fleetwood their general, Lambert their lieutenant-general, and Deſborough commiſſary general of the horſe. They eſtabliſhed likewiſe a council of ſeven to nominate ſuch officers as were not ſuſpected, with orders to exclude thoſe, in whom they could not confide. Mean while a diſcipline ſo exact was obſerved by the troops, that it was wonderful to ſee ſoldiers ſo ſubmiſſive to their officers, and ſo inoffenſive to the people during ſuch an anarchy. As the officers were ſtill uneaſy about Monk, whom they ſuſpected, becauſe he was not of their principles, and beſides, was an enemy to Lambert, colonel Cobbet was ſent to try to gain him to their party, with ſecret orders, in caſe he could not ſucceed, to endeavour to corrupt his troops, and, if poſſible, put him under an arreſt. Clarges gave Monk intelligence of Cobbet's ſecret commiſſion.

An anarchy of a few days. 1659. The officers form a council of ten. Elect their own generals. Whitelock. The exact diſcipline of the army. Colonel Cobbet ſent to Monk by the officers. Skinner. Clarendon, III. p. 545.

During theſe tranſactions in England, the king was in his journey to Fontarabia, where he arrived but very little time before the treaty between the two crowns was concluded, having by miſtake [y] proceeded to Saragoſſa, where he had no buſineſs, while the two miniſters of France and Spain finiſhed their treaty. But in all likelihood, he would have received no advantage from that treaty, though he had arrived at the beginning. Nay, it is difficult to conceive, what advantages he propoſed to himſelf from this journey, nor has the earl of Clarendon thought fit to inform his readers. Don Lewis de Haro, prime miniſter of Spain, received him very civilly, and expreſſed a ſenſe of his unhappy condition, by making him a preſent of ſeven thouſand piſtoles. But cardinal Mazarin, for fear of rendering himſelf ſuſpected to the parliament, would not ſo much as ſee

The king's ſucceſs at Fontarabia. Id. p. 537.

[y] This miſtake aroſe not from the ignorance of the way leading to Fontarabia, but from a miſtake in the king's intelligence. That the treaty between the two crowns was finiſhed, whilſt it was actually in negotiation. In the firſt caſe, the king had no buſineſs at Fontarabia, and therefore curioſity, and perhaps ſome better view, determined him to go to Madrid. When his miſtake was removed, he turned back, and purſued his firſt intended journey, to Fontarabia. See Clarendon, t. III. p. 537.

him.

1659. him. So the king left Fontarabia, in order for Bruſſels, where he arrived the latter end of December.

The army erect a committee of ſafety for the adminiſtration of the government.

MEAN time, the great council of officers held frequent aſſemblies in London, to endeavour at ſome ſettlement of the government, which could not be in greater confuſion than at preſent. At laſt, on the 26th of October, thirteen days after the diſperſion of the parliament, they agreed to eſtabliſh a committee of ſafety [z], and put the government into their hands. Sir Henry Vane, who, ſince the laſt change, had come into the meaſures of the army, was of this committee, with Fleetwood, Lambert, Deſborough, Ludlow, &c. The great council of officers as ſole ſovereign then of the three kingdoms, authorized this committee to execute all the powers of the late council of ſtate, with authority to puniſh delinquents concerned in the late conſpiracy: to give indemnity to all who had acted for the commonwealth ſince the year 1649: to oppoſe and ſuppreſs all rebellions and inſurrections: to diſpoſe of all places of truſt that were void, and remove ſuch as were ſcandalous: to treat with foreign ſtates: to raiſe the militia: and laſtly, to make ſale and compoſition for the eſtates of delinquents. At the ſame time, a declaration was publiſhed, to annul the acts or orders of the parliament, of the 10th, 11th, and 12th of October. In this paper the officers declared, that they had no deſign to erect a military government, but had already lodged the executive part in a committee of ſafety, who were to prepare ſuch a form of government as might beſt comport with a free ſtate and commonwealth, without a ſingle perſon, kingſhip, or houſe of lords. This declaration ended with ſome ſcriptural expreſſions, adapted to the taſte and practice of the godly party.

October 26. Phillips. p. 662. Ludlow. Whitelock. p. 685.

Its power.

The declaration of the council of officers.

State of Monk's affairs in Scotland. R. Coke. p. 82. Burnet. p. 61.

While the officers ruled in England, Monk was greatly embarraſſed in Scotland. He was indeed at the head of the government, and of twelve thouſand men, moſt of whom he could rely on, though many of the officers were fanaticks, or inclined to be ſo, and conſequently juſtly ſuſpected by him. But this army was ſupported by money regularly paid from England, Scotland being unable to maintain them. Monk had thereby been able to keep the army under ſtrict diſcipline, and to procure Scotland a

[z] Conſiſting of twenty three perſons. Whitelock (who was one) ſays, he was not deſirous of that employment, at ſuch a time as this. Mem. p. 685.

tranquility,

tranquility, to which ſhe had long been a ſtranger, though the clergy were diſſatisfied with the liberty of conſcience granted to all except catholicks and prelatiſts. But forts erected by Monk in ſeveral parts of the kingdom, and well garriſoned by him, prevented all inſurrections. The changes in England ſince Cromwell's death diſturbed Monk's peaceable ſtate in Scotland. For though he was equally careſſed by the army and parliament, becauſe they either wanted or feared him, he perceived that on which ſide ſoever the advantage ſhould turn, he was to be the victim. He had already experienced it in the parliament's endeavours to undermine his credit, and could not doubt, if that parliament had ſubſiſted, he ſhould have been, by one means or other, diſplaced, becauſe he was feared. On the other hand, his hopes were no better from the army, which was properly commanded by Lambert, under the name of Fleetwood. Lambert conſidered Monk as a formidable rival, who would never ſuffer him to execute his deſigns, if it was in his power to prevent him [a]. Monk, for his part, would never have been willing to ſubmit to Lambert. He was nevertheleſs under an abſolute neceſſity of taking one of the two courſes. A neutrality would have expoſed him to the danger of being ſacrificed by both, if they ſhould be reconciled, which was not impoſſible. Beſides, on ſuch occaſions, the victorious party never thinks any great regard due to thoſe who have ſtood neutral. In fine, a neutrality would have entirely deprived him of the ſupplies received from England for the ſubſiſtence of his army. He therefore determined to ſide with the parliament, and without any evaſion ſent his reſolution to Fleetwood. For this purpoſe, he prepared for a ſpeedy march into England with the beſt part of his army. 1659. Reſolves to march into England.

When this reſolution is conſidered, it is difficult to believe, that Monk could take it, without being influenced by other motives than what appear at firſt ſight. Firſt, he had no cauſe to be pleaſed with this parliament, nor is it ſeen what intereſt, either publick or private, he could have, to reſtore a parliament generally hated, and which had been always diſtruſtful of him. Secondly, Monk had joined Motives of this reſolution.

[a] In order to weaken Monk, the parliament ſent him an order, when Lambert was marching againſt Booth, to ſend Lambert two regiments of foot, and two of horſe; but he excuſed himſelf, under colour of the enemy's ſtrength, and inclination to revolt; though ſome then thought, that his engagements with Charles II. were the true reaſons of his refuſal. Ludlow, tom. II. p. 691.

with

1659. with the republicans only to free himſelf from confinement. Thirdly, though he had twelve thouſand men, he could, at moſt, take with him but half, unleſs he would give the Scots opportunity to ſhake off the Engliſh yoke. How therefore could he venture to go with five or ſix thouſand men, to encounter an army ſtronger than his own? Laſtly, the people of England hitherto had declared for neither parliament nor army, but equally hated both. Monk therefore could not expect the people's aſſiſtance, to reſtore a parliament which had ever held them in ſervitude. This was not, at leaſt, the intereſt of the royaliſts or preſbyterians, who properly were the body of the nation, there being but very few who were really attached to the parliament or the army, though fear compelled them to obedience. And, by the way, the ſmall intereſt which the parliament had in the boroughs and counties, was the true reaſon they never filled the vacant ſeats, becauſe they could not be aſſured that ſuch members would be choſen as they deſired. Theſe are the conſiderations which naturally create a belief, that Monk, when he reſolved to march into England, under colour of re-eſtabliſhing the parliament, ſecretly intended to ſerve and reſtore the king. This is almoſt univerſally agreed. But it is not equally clear what was his plan, or his means to accompliſh ſuch a deſign. If the royaliſt authors are to be credited, he marched into England with only five thouſand men; and the terrour of that army, joined to the wiſhes of the nation, and Monk's prudent conduct, produced this happy reſtoration. All this is true, but it is not the whole of the truth, party intereſt having obliged the hiſtorians to conceal, or ſpeak confuſedly of ſome things. For my part, I ſhall give my opinion, and leave it to the judgment of the unprejudiced reader. I own, I cannot ſupport it with the clear and undeniable teſtimony of the hiſtorians of thoſe times. But I think, I can ground it upon ſomething ſtronger than the teſtimony of the hiſtorians; I mean, upon the facts themſelves, and general Monk's whole conduct. The reader will judge of it hereafter.

He deſigns to reſtore the king. Clarendon, III. p. 549. Skinner.

Since the preſbyterians had been expelled from the parliament in 1548, they had been kept extremely low, becauſe their number ever rendered them formidable to the independent parliament, and afterwards to Cromwell. They had never been able to recover their ſeats in parliament, a few only excepted, who had thruſt themſelves in by a diſſimulation, which nevertheleſs, as appears in Ludlow's memoirs, could

His plan in order to the king's reſtoration.

could not deceive the independents. Sir William Waller, one of their generals: was not in condition to head an army, and Maſſey had eſpouſed the king's cauſe. So, having nothing more to ſay in the parliament, and wanting a leader to head them, they had remained in ſubjection to the independent parliament, and afterwards to Cromwell, without any likelihood of reviving their humbled party. They had for enemies Cromwell, the army, the parliament, the royaliſts, and were in no places of truſt which might give them credit. We have already ſeen, that being weary of this ſituation, they had diſcovered an inclination to unite with the king's party or at leaſt ſhown, that they ſhould not be diſpleaſed with the good ſucceſs of that party's deſign for an inſurrection in ſeveral parts of the kingdom. The miſcarriage of that undertaking was doubtleſs the reaſon, that the union was carried no farther. Nevertheleſs, Monk knowing how the preſbyterians ſtood diſpoſed, employed, in all likelihood, Clarges his confident, to make a ſecret agreement with ſome of their chiefs for reſtoring the king by their means. The ſcheme formed for that purpoſe, and which could not be executed without the preſbyterians, was, as appears by the ſequel, briefly this: 1659. Ludlow, t. II.

Monk engaged, no doubt, to march into England and reſtore the rump parliament, diſperſed by the officers. This was the firſt ſtep he was to take. The parliament being reſtored, Monk was to join with the city of London, wholly preſbyterian, and demand that the members expelled in 1648, might reſume their ſeats, or, if the rump refuſed to admit them, to introduce them by force. Theſe reſtored members could not but, by their number, have a great majority in the houſe, and compoſe properly a preſbyterian parliament. It was agreed, that this parliament ſhould diſſolve itſelf, after ſummoning another free parliament, compoſed, agreeably to the antient conſtitution, of a houſe of lords and a houſe of commons. The new parliament muſt naturally conſiſt of royaliſts and preſbyterians (the independents having too little credit to carry any elections) and was to reſtore the king, to which the preſbyterians ſhould conſent. In all likelihood theſe ſtipulated ſome conditions, the particulars whereof are not known. It cannot however be doubted, that there were conditions, ſince, after the reſtoration of Charles II. they complained bitterly of breach of promiſe. This alſo appears in that, to vindicate Charles II. for not keeping his word with the preſbyterians, it is pretended, it was not in his power to diſpenſe with the laws, and conſequently

The preſbyterians contribute to the king's reſtoration.

1659. quently his promiſe was void. This was the ſcheme for reſtoring the king, which, as will hereafter be ſeen, was cloſely purſued. If, on ſome occaſion, Monk ſeemed to ſwerve from it, 'twas becauſe he believed diſſimulation abſolutely neceſſary, and that he could not diſcover his intention without danger of rendering the project abortive. It was to be done on a ſudden, and under other pretences, before the enemies to royalty ſhould have time to oppoſe it. Now he could not uſe more proper inſtruments than the preſbyterians, who were little ſuſpected of deſiring the king's reſtoration. But the hiſtorians are very unwilling to allow the preſbyterians any ſhare in this unexpected event, though they are forced in ſome meaſure to follow, in their hiſtories, the ſcheme I have explained. They are contented to inſinuate, that the reſtoration was owing to the prayers of the people as if the preſbyterians had not been a conſiderable, and perhaps the major part of the people. This ſcheme being ſuppoſed, all difficulties will vaniſh, and Monk's proceedings appear natural, and conſequences of it. But if it be ſuppoſed, that Monk reſtored the preſbyterian members, expelled from the parliament in 1648, without any previous agreement, it can never be conceived, that he ſhould think it neceſſary to reſtore a preſbyterian parliament in order to place the king on the throne without any conditions.

The committee of ſafety ſend Clarges to Monk, to propoſe an accommodation. Clarendon, III. p. 546. Heath.

The firſt thing done by the committee of ſafety, lately eſtabliſhed by the general council of officers, was to ſend Clarges to Monk, to bring him to ſome agreement. They were not ignorant of the error committed by the officers, in uſurping the ſovereign power, without the approbation of a general at the head of twelve thouſand men, and would have gladly repaired it. But they could not chuſe a worſe meſſenger than Clarges, whoſe ſole aim was to ſerve the king, and who, probably, had engaged Monk in the ſame deſign.

Monk prepares for his march. Skinner.

Mean while, Monk was preparing with all poſſible diligence for his expedition, though not without ſeveral obſtacles. 1. His forces being diſperſed through all Scotland required, at leaſt, ſix weeks to draw them together. 2. Ready money was to be provided for their maintenance, becauſe he could expect no more from England. For this purpoſe, the taxes were to be anticipated, and even extraordinary ſupplies obtained of the Scots. 3. In his troops were ſome officers, on whoſe fidelity he could not rely. 4. In ſhort, it was abſolutely neceſſary to his deſign, to have ſome towns on the frontiers of England, to facilitate his entrance, as he knew

knew that Lambert was marching to oppoſe him. All theſe difficulties were happily ſurmounted, except the firſt, becauſe of the remoteneſs of his forces. As to the reſt, he began with caſhiering ſeveral of his ſuſpected officers, and ſubſtituting others in their room. He kept thoſe whom the parliament had diſplaced, and whoſe ſucceſſors were not yet come. Then he ſummoned to Edinburgh the officers of the neareſt regiments, and communicating to them his deſign of marching into England, to reſtore the parliament, he had the ſatisfaction to meet with their concurrence. This done, he found means to ſecure Berwick, and arreſt colonel Cobbet, who was there, and whoſe ſecret inſtructions were told him by Clarges. Cobbet was ſent to Edinburgh, and there impriſoned. Monk alſo attempted to ſurprize Newcaſtle, but was diſappointed. As to the money he wanted, he raiſed as much as was poſſible, and while his army was aſſembling, ſollicited the Scots for an extraordinary ſupply.

1659. Whitelock. Ludlow. Clarendon, III. p. 546. Phillips, p. 664. Ludlow, t. II. p. 728. Skinner. Clarges comes to him in Scotland. May 2. Phillips. R. Coke.

While Monk was making theſe preparations, Clarges his brother-in-law arrived in Scotland, with a propoſal for a treaty with the committee of ſafety. It was reſolved betwixt them to accept the propoſal, not with deſign to conclude the treaty, but to gain time till Monk's army was ready [b]. Purſuant to this reſolution, Monk, with the conſent of his officers, made choice of colonel Wilks, lieutenant-colonel Cloberry, and major Knight to go and treat in his name with the committee, and ſent them away with ſuch inſtructions, as he thought would raiſe inſurmountable obſtacles to the concluſion of the treaty. Theſe three commiſſioners met Lambert at York, who told them, he was ſufficiently impowered to treat with them [c]. But to their demand for reſtoring the parliament, he anſwered, his power did not extend to that article, and ſo they were obliged to go on to London.

Monk and he agree to amuſe the committee by a negotiation. Commiſſioners ſent to London for that purpoſe. Clarendon, III. p. 546. Phillips. p. 667. Whitelock, p. 688. Ludlow.

Theſe commiſſioners, ignorant of Monk's ſecret intentions, were no ſooner at London, than they made all poſſible

A treaty concluded contrary to Monk's intention, who refuſes to ratify it. Nov. 15. Phillips, p. 670, 672. Clarendon, III. p. 549. Ludlow, t. II. p. 752. Skinner.

[b] He all along deluded the independents, by his ſolemn proteſtations, and publick declarations of his firm reſolution to adhere to the parliament and their cauſe, againſt a king, ſingle perſon, or houſe of peers. Ludlow, tom. II. p. 747, &c.

[c] Monk's commiſſioners ſo far ſatisfied Lambert of the reality of Monk's intentions, that Lambert ſtopt his forces from marching further northward. When notice of this came to Lambert, Whitelock was for ordering Lambert to advance ſpeedily with all his forces, and attack Monk, before he ſhould be better provided; believing, as he ſays, that Monk only fought delays. But his advice was not taken. Whitelock, p. 688.

haſte

1659. haſte to conclude with the committee of ſafety, and the rather, becauſe every thing which they propoſed was accepted. So, the treaty was concluded and ſigned the 15th of November, to the great diſſatisfaction of Monk, whoſe aim was to prolong it, and then break off the negotiation. It would be needleſs to inſert the treaty, becauſe it was never executed. I ſhall only obſerve, that by the firſt article, a vigorous oppoſition to the king's reſtoration was agreed to by both parties. Monk, upon receiving the treaty, ſought evaſions to hinder the ratifications, pretending, his commiſſioners had acted contrary to their inſtructions, and thereby he became ſtill more ſuſpected by the committee of ſafety.

The members of parliament buſy to reſtore themſelves. Whitelock.

While Monk was preparing to march into England, the members of the late parliament were not idle. They were ardently endeavouring to re-eſtabliſh themſelves, and wreſt from the officers their uſurped authority, but without the leaſt thought of reſtoring the king. They believed, or pretended to believe, that Monk had no other view than the reſtitution of the parliament, and, in this belief, conſidered Monk's friends as their own. This was true in general, though ſome there were of Monk's adherents in London, better informed than the reſt, who knew what they were to believe. Be this as it will, all the friends of the rump united to ſupport Monk's deſigns, imagining, his ſole intention was to reſtore the parliament. For that reaſon, the members who had formed the council of ſtate, before the interruption of the parliament, being privately aſſembled, ſent to Monk a commiſſion, conſtituting him general of the armies of England, Scotland, and Ireland.

Nov. 24. Phillips, p. 673.

The governor of Portſmouth declares for the parliament. Id. p. 674. R. Cole. Whitelock.

On the other hand, colonel Whetham governor of Portſmouth, Monk's particular friend, declared for the parliament, and received into his garriſon Haſlerig, Walton, and Morley, three members of parliament, the moſt incenſed againſt the army. The committee of ſafety, upon the firſt notice of this defection, ſent a detachment of the army to block up Portſmouth, but the ſoldiers deſerted their officers, declared for the parliament, and were received into Portſmouth as friends. Another detachment ſent from the army on the ſame errand, did almoſt the ſame thing, ſo that the committee knew not on whom to rely. At the ſame time, Lawſon, vice admiral declared for the parliament againſt the army, and entered the Thames with ſeveral of his ſhips, to awe the adherents of the committee. Lambert, who commanded a body of the army in the north, being informed

The town is blocked up, and the ſoldiers deſert. Clarendon, III. p. 550.

Vice-admiral Lawſon does the ſame. Id. p. 551. Whitelock.

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of the ill situation of the committee's affairs, detached Desborough's regiment to the assistance of his friends in London, but that regiment, at St. Albans, declared for the parliament. 1659. And a regiment sent from Lambert.

Mean while, the committee of safety seeing all this opposition, seemed to be discouraged. They took no measures for their own preservation, and instead of assembling the army, suffered it to be dispersed into quarters. It is likely, they feared to see the army together, since the soldiers of the two detachments sent to Portsmouth had deserted their officers. Mean while, Haslerig, Walton, and Morley, finding themselves sufficiently strengthened by the soldiers of the army, which had retired to Portsmouth, marched at the head of these troops, towards London. Then it was that Fleetwood, and the rest of the committee of safety, were in the utmost perplexity. They durst not trust their own soldiers, and knew not what course to take. Whitelock, as appears in his memorials, advised Fleetwood either to head the army, or agree with the king [d]. He seemed to approve of this last course, but presently after altered his mind, and did neither. At last, his collegues and himself wanting capacity and resolution to extricate themselves out of such an emergency, consented to the meeting of the parliament, and voluntarily resigned their usurped authority. They had no sooner given their consent, than they were entirely abandoned by their whole party. Committee of safety consents to restore the parliament. Phillips, p. 676. R. Coke, p. 692.

THUS the parliament met peaceably the 26th of December, and named a committee to govern the army in their name, and under their direction. Then they dispatched express orders to Lambert to disperse his forces, and send them into the quarters assigned by the same order. But Lambert's troops hearing the parliament was restored, had in some measure prevented this order, and put their general under arrest, who was sent prisoner to the Tower of London. At the same time sir Henry Vane, and some other members of parliament, who had taken part with the army, were confined to their own houses. Thus, by a revo- The rump restored, who meets the 26th of December. Lambert put under an arrest by his own troops. Clarendon, III. p. 552. Vane put under an arrest. Whitelock, p. 693.

[d] And thereby be beforehand with Monk; by which means he might make terms with the king for the preservation of himself, his friends, and his cause; but if it were left to Monk, they, and all that had been done, would be left to the danger of destruction. Hereupon they two agreed, that Whitelock should immediately go to the king; but Vane, Desborough, and Berry, coming to Fleetwood in the mean time, made him alter his resolution. Whitelock, p. 691.

1659. lution little expected, the firſt and moſt difficult part of Monk's undertaking, namely, the reſtitution of the parliament, was executed even before he left Scotland, and without having any other ſhare in it, than his reſolution to march into England [e].

The king's affairs believed to be deſperate. Clarendon, III. p. 553.

Mean while, this revolution ſeemed entirely to deſtroy the hopes of the king, ſince a parliament was reſtored ſo oppoſite to him. He was believed to be irrecoverably loſt. France and Spain began to think of making a firm and laſting alliance with the parliament, whereby the king would not have known where to retire for a ſubſiſtence. But though he himſelf feigned to be extremely afflicted not to diſcover his ſecret, very probably he was informed of Monk's intentions, and of the manner in which they were to be executed. For though the earl of Clarendon affirms, the king had only a very faint hope of being ſerved by Monk, in order to provide for his own ſecurity, yet I cannot believe, that Monk, however reſerved he might be to others, concealed his intentions from the king, ſince there was no danger in the diſcovery [f].

A conjecture upon this ſubject. Ibid. p. 553.

Whitelock, p. 682. Clarendon, III. p. 549.

Be this as it will, Monk, before he left Scotland, by circular letters, aſſembled at Edinburgh two commiſſioners from every ſhire, and one from each burrough, and communicated to them his intention to march into England, to reſcue the parliament from the force put upon them by the army, and reſtore them to their authority. Theſe commiſſioners, who made a ſort of convention of eſtates, though the union of the two kingdoms denied them the name, offered Monk to increaſe his army with twenty thouſand men of their nation, and granted him thirty thouſand pounds above the aſſeſſments to enable him to maintain them. He accepted the money, but refuſed the troops, believing he wanted them not. Some Scotch writers affirm, that in diſmiſſing this aſſembly, he recommended to them, to take all poſſible care to preſerve the peace and tranquility of the kingdom, and deſired them to abjure the king, and royal family. But Gumble, who was his chaplain, and writ his life, poſitively denies it. Thus much is certain, it was abſolutely neceſſary for him, carefully to conceal his intention to ſerve the king, and his fear

Monk procures a ſupply of money from the Scots. R. Coke, p. 87. Heath.

[e] This year, on October 31, died John Bradſhaw, preſident of the court that condemned king Charles I.

[f] Monk placed no confidence in Hyde, and when he ſent the aſſurance of his ſervice to the king by ſir John Greenvil, it was with this proviſo, that Hyde ſhould not be let into the ſecret. So ſays Bevil Higgens, who had it from his own mother, ſiſter to ſir John Greenvil.

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of betraying this ſecret, made him, on ſome occaſions, carry his diſſimulation to exceſs. He was, however, extremely ſuſpected by thoſe, who would not hear of the king's reſtoration. Theſe men were very numerous, not to mention the army, which aſſuredly had no ſuch intention, though, unknown to them, their march was deſigned for that purpoſe alone. 1659.

Monk entered England with his army the 2d of January 1659-60, and conſequently might now be informed of the rump's re-eſtabliſhment. Some days after he received a letter from the ſpeaker, acquainting him with the late tranſactions, thanking him, in the name of the parliament, for his kind intentions, and inſinuating, that if he thought it proper, he might ſave himſelf the trouble of coming to London, ſince the parliament was in peaceable poſſeſſion of their authority. But this letter did not interrupt his march. If it be conſidered, that the pretence he had hitherto alledged for his expedition into England, was the reſtitution of the parliament, and that he continued his march, though the parliament was reſtored, it will be eaſy to perceive, that he had quite another motive than what was at firſt alledged. This pretence failing him, he was obliged to find another, and that was, to aſſiſt the parliament, to reduce the army to obedience and ſubmiſſion. On his arrival at York, he found the lord Fairfax, formerly general to the parliament, at the head of ſome troops of that county, and in poſſeſſion of the city, in order to hinder the committee of ſafety from being maſters of it. The lord Fairfax received Monk into York without any difficulty, and they had many conferences together. Fairfax was a preſbyterian, though Cromwell had made him ſubſervient to the riſe of the independents. So, it would be hard to conceive what intereſt he could have in countenancing Monk's deſigns, if the preſbyterian party had not ſecretly agreed to concur in the king's reſtoration. 1659-60.

Armies in England. January 2. Clarendon, III. p. 549. Phillips, p. 677.

Receives a letter from the parliament to ſtop his journey, but pays no regard to it. Ibid.

Is received into York by the lord Fairfax. January 11. Clarendon, III. p. 552. Phillips, p. 678. Burnet.

Whatever diſſimulation Monk had uſed, in pretending that he had no other view than to reſtore the rump, the members of that parliament were too wiſe not to perceive, he had ſome other hidden deſign. But they heſitated between two opinions, in appearance equally probably, namely, that he intended either to advance himſelf in imitation of Cromwell, or to reſtore the king. For this reaſon, the rump, a few days after their meeting, appointed A COUNCIL OF STATE, conſiſting of twenty eight members, of whom

The parliament ſuſpects him.

Forms a council of ſtate. Phillips, p. 678.

1659-60. whom Monk was one, and ordered each counſellor to take the following oath:

And impoſes an oath upon the members. Ibid. Whitelock, p. 683.

"I do hereby ſwear that I do renounce the pretended title of CHARLES STEUART, and the whole line of the late king James, and of every other perſon as a ſingle perſon, pretending, or which ſhall pretend to the crown or government of theſe nations of England, Scotland, and Ireland, or any of them, and the dominions and territories belonging to them, or any of them; and that I will, by the grace and aſſiſtance of Almighty God, be true, faithful and conſtant to the parliament and commonwealth, and will oppoſe the bringing in, or ſetting up any ſingle perſon or houſe of lords, and every of them in this commonwealth."

Sends two commiſſioners to be ſpies upon him. Phillips, p. 678. R. Coke. Skinner. Ludlow, t. II. p. 812.

This precaution however did not remove the fears of the parliament with regard to Monk, who daily became more ſuſpected, notwithſtanding all his care to conceal his intentions. It was therefore reſolved to ſend two of their members to him, under the pretence of doing him honour, but in reality, to obſerve his proceedings. Scot and Robinſon were named, who found him at Leiceſter the 22d of January [g]. In this town [h] he received alſo commiſſioners from London, with an addreſs, to deſire the re-admiſſion of the members ſecluded in the year 1648. Scot, one of the commiſſioners from the parliament, interrupted the London commiſſioner who was reading the addreſs, and commanded him ſilence, looking upon this propoſal as tending directly to the deſtruction of the republican parliament. Nevertheleſs, Monk received the addreſs. As he continued his march, he received many ſuch, ſo that it ſeemed to be the general ſenſe of the nation, that the preſbyterians ſhould reſume the reins of the government. Let us reflect here a little on this extraordinary change.

Monk receives an addreſs from London for the reſtitution of the ſecluded members. Clarendon, III. p. 555. Phillips, p. 681. And others of the like nature.

It cannot be denied, that the ſecluded members in 1648 were preſbyterians, who had, on all occaſions, ſhewn an extreme animoſity againſt the king and the church of England. If they had teſtified a deſire to reſtore the late king by the treaty of Newport, this was owing to conditions, which he looked upon as intolerable, and which neceſſity alone compelled him to grant. Nay, the parliament could

Whitelock. Reflections upon this occaſion.

[g] All the way from Leiceſter to St. Albans, they lodged in the ſame houſe with him, and when they withdrew to their own apartment, they always found or made ſome hole in the door or wall, to look or liſten. Skinner, p. 197.

[h] It was at Harborough, January 23. See Skinner, p. 195, and Phillips, p. 681.

not

not reſolve to allow ſome reſtrictions deſired by the king to their demands. If they voted that the king's conceſſions might ſerve for foundation to a peace, it was at a time when the army was now in London, ready to execute the violence which was acted the next day. The preſbyterians therefore cannot be conſidered as having been at any time favourable to Charles I. Since the 6th of December 1648, they had been kept very low, having conſtantly had for enemies the royaliſts, parliament, protector, and army, ſo that they were without any power. And yet, during Monk's march, this party not only revives, but even becomes ſuperior to all the reſt, and the whole nation ſeems to conſpire to reſtore them the ſupreme authority, in demanding the readmiſſion of the ſecluded members in 1648. What could be the motive of ſo great a number of addreſſes on this account, preſented to Monk in his march? And why did Monk receive them ſo favourably? Certainly, when he left Scotland, his intention, however concealed, was to labour the king's reſtoration [1]. But if the preſbyterians had not engaged to favour this reſtoration, the raiſing their party, and putting them in poſſeſſion of the government, would have been a very unlikely means to accompliſh it. All that Monk could thereby have gained, was, the king's reſtoration on the ſame terms which his father had granted in the treaty of Newport, which, doubtleſs, was very far from his intention. Let us therefore conclude, that all theſe addreſſes were an effect, or conſequence of a ſecret agreement between the royaliſts and preſbyterians, whereby theſe had conſented to the king's reſtoration, on conditions relating to their religion alone, without inſiſting, as they had before conſtantly done, on any terms concerning the government. Without this ſuppoſition, the ſteps, afterwards taken for the king's reſtoration, can never be conceived, and with it, all the proceedings are natural.

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Burnet, p. 85.

This agreement was a ſecret which was carefully to be concealed, leſt its diſcovery ſhould produce an accommodation between the parliament and the army, in which caſe Monk, who had but five thouſand men, would have been little able to execute his deſigns. Wherefore, though he received all the addreſſes, he was very careful not to expreſs the leaſt ſigns of approbation, but contented himſelf

Monk's diſſimulation.

[1] Biſhop Burnet more reaſonably ſuppoſes, that Monk had no ſettled deſign any way, but reſolved to do as occaſion ſhould be offered to him, p. 84.

1659-60. with a general anſwer, that they ſhould be laid before the parliament [k].

The reaſon of it. Skinner. Phillips, p. 679.

Monk, as I ſaid, had but five thouſand men [l]. With this army it was not poſſible to withſtand the other, which was three times as numerous, and of which ſeveral regiments were now in London. If the parliament and army could have united together, they would, doubtleſs, have rendered all Monk's projects impracticable. But the parliament was ſtill more jealous of their own army than of Monk. They only ſuſpected that general of having ſecret deſigns, without knowing exactly wherein they conſiſted. But that the general officers of the army would become maſters, if their aſſiſtance was neceſſary, could not be doubted. It was Monk's intereſt therefore to foment this diſunion, and he could not more ſucceſsfully do it, than by profeſſing an entire devotion to the parliament. He thereby removed from the parliament all thoughts of an union with the army, which appeared unneceſſary, while Monk's fidelity could be relied on. This was the true reaſon of Monk's extreme diſſimulation, and of his pretending on all occaſions, that his march to London was only to ſerve and obey the parliament.

Demands that the forces in London withdraw, to make room for him. Clarendon, III. p. 555. Phillips, p. 680. R. Coke. Skinner.

His demand granted.

When he came to St. Albans, within twenty miles of London, he writ to the parliament, to deſire that the regiments in the city, might be ſent to more diſtant quarters, it not being convenient, that troops, which had ſo lately been in rebellion, ſhould mix with thoſe which were entirely devoted to the parliament, and come to offer their ſervice. With this letter he ſent the manner in which his ſoldiers might be lodged in London, and the quarters that might be aſſigned to the regiments which were to be removed. Though this demand was ſuſpected by many members to have ſome myſtery in it, it was however granted by a majority of voices, and the regiments in the city were ordered to remove. This ſhows, either that Fleetwood and Deſborough were no great politicians, if they did not ſee that Monk's demand tended

[k] He kept himſelf under ſuch a reſerve, that he declared all the while in the moſt ſolemn manner for a commonwealth, and againſt a ſingle perſon, in particular againſt the king. See Ludlow, tom. II. p. 811. The ſame day he entered London, Ludlow viſiting him, he told Ludlow, "That he "was fully reſolved to promote the "intereſt of a commonwealth." Adding, "We muſt live and die for and by a commonwealth." Idem. p. 820.

[l] Dr. Skinner ſays, his army, upon a review at Highgate, amounted to five thouſand eight hundred men (p. 221.) namely, four thouſand foot, and eighteen hundred horſe. The parliament's regiments in London conſiſted of two thouſand horſe, and eight thouſand foot. Phillips, p. 679.

to make himſelf maſter of the city and parliament, or that they believed they had not a ſufficient influence over their inferior officers, to venture to oppoſe it. It ſeems, they could reſolve nothing without Lambert, who was now priſoner in the Tower. 1659-60.

However this be, Monk artfully improving the diviſion between the parliament and the army, entered London, in triumph, the 3d of February 1659-60. After he had given orders for quartering his troops, he repaired to the council of ſtate, who immediately tendered him the abjuration oath, which all the members were obliged to take. But he aſked time to reſolve, ſaying, he had been informed that ſtrong objections had been made to this oath, even in the parliament itſelf. Upon this refuſal he was denied admittance into the council of ſtate, till he had taken the oath, and was obliged to withdraw.

Monk enters London. February 3. Phillips, p. 682. Skinner. Ludlow. Refuſes the abjuration oath. Ibid.

The 6th of February he went to the parliament, where by the mouth of the ſpeaker, he received the compliments and thanks of the houſe; to which he returned the following anſwer:

Complimented by the ſpeaker of the houſe of commons Clarendon, III. p. 556. Phillips, p. 682. Ludlow. Skinner. Whitelock.

Mr. Speaker,

"AMongſt the many mercies of God to theſe poor nations, your peaceable reſtitution is not the leaſt. It "is (as you ſaid) his work alone, and to him belongs the "glory of it; and I eſteem it as a great effect of his goodneſs to me, that he was pleaſed to make me, amongſt many worthier in your ſervice, ſome way inſtrumental in it. "I did nothing but my duty, and deſerve not to receive ſo "great an honour and reſpect as you are pleaſed to give me "at this time and place, which I ſhall ever acknowledge as "a high mark of your favour to me.

"Sir, I ſhall not now trouble you with large narratives, "only give me leave to acquaint you, that as I marched "from Scotland hither, I obſerved the people in moſt counties in great and earneſt expectations of a ſettlement; and "ſeveral applications were made to me, with numerous "ſubſcriptions to them. The chiefeſt heads of their deſires "were for a free and a full parliament, and that you would "determine your ſitting; a goſpel miniſtry; encouragement "of learning and univerſities; and for admittance of the "members ſecluded before the year 1648, without any previous oath or engagement. To which I commonly anſwered, that you are now in a free parliament; and if

1659-60. "there be any force remaining upon you, I would endea-
"vour to remove it; and that you had voted to fill up your
"houſe, and then you would be a full parliament alſo; and
"that you had already determined your ſitting: and for the
"miniſtry, their maintenance, the laws, and univerſities,
"you had largely declared concerning them in your laſt de-
"claration; and I was confident you would adhere to it: but
"as for thoſe gentlemen ſecluded in the year 1648, I told
"them you had given judgment in it, and all people ought
"to acquieſce in that judgment; but to admit any members
"to ſit in parliament without a previous oath or engagement,
"to preſerve the government in being, it was never done in
"England.

"But although I ſaid it not to them, I muſt ſay, with
"pardon, to you, that the leſs oaths and engagements are
"impoſed (with reſpect had to the ſecurity of the common
"cauſe) your ſettlement will be the ſooner attained to. I
"am the more particular in theſe matters to let you ſee how
"grateful your preſent conſultations about theſe things will
"be to the people. I know all the ſober gentry will cloſe
"with you, if they may be tenderly and gently uſed; and I
"am ſure you will ſo uſe them, as knowing it to be the
"common concern, to amplify, and not to leſſen our inter-
"eſt, and to be careful that neither the cavalier, nor fana-
"tick party have yet a ſhare in your civil or military power,
"of the laſt of whoſe impatience to government, you have
"lately had ſo ſevere experience. I ſhall ſay ſomething of
"Ireland and Scotland; indeed Ireland is in an unſettled con-
"dition, and made worſe by your interruptions, which pre-
"vented the paſſing an act for the ſettlement of the eſtates
"of adventurers and ſoldiers there, which I heard you in-
"tended to have done in a few days; and I preſume, it
"will be now quickly done, being ſo neceſſary at this time,
"when the wants of the commonwealth call for ſupplies;
"and people will unwillingly pay taxes for thoſe eſtates,
"of which they have no legal aſſurance: I need not tell
"you how much you were abuſed in the nomination of
"your officers of your armies there; their malice that de-
"ceived you, hath been ſufficiently manifeſted: I do affirm,
"that thoſe now that have declared for you will continue
"faithful, and thereby evince, that as well there as here,
"it is the ſober intereſt muſt eſtabliſh your dominion. As
"for Scotland, I muſt ſay, the people of that nation de-
"ſerve to be cheriſhed; and I believe your late declaration
"will much glad their ſpirits; for nothing was to them

"more

" more dreadful, than a fear to be over-run with fanatick notions. I humbly recommend them to your affection and eſteem; and deſire the intended union may be proſecuted, and their taxes made proportionable to thoſe in England, for which I am engaged by promiſe to become a ſuitor to you. And truly, ſir, I muſt aſk leave to intreat you to make a ſpeedy proviſion for the civil government there, of which they have been deſtitute near a year, to the ruin of many families: and except commiſſioners for managing of the government, and judges to ſit in courts of judicature, be ſpeedily appointed, that country will be very miſerable. 1659-60.

" I directed mr. Gumble lately to preſent ſome names to you, both for commiſſioners and judges; but by reaſon of your great affairs, he was not required to deliver them in writing: but I humbly preſent them to your conſideration."

This ſpeech was not agreeable to all; ſome of the members complained, Monk ſpoke too poſitively, and aſſumed too great an authority: that he affected a popularity, which juſtly rendered him ſuſpected: that he engaged for the fidelity of the Iriſh officers, which, however, was to be doubted: in ſhort, that in ſaying, the cavaliers were not yet to have a ſhare in the government, he gave that party hopes of being one day admitted. Phillips, p. 684. Skinner.

Two days after, the parliament had occaſion to try Monk's fidelity, and to be aſſured, whether he was ſo devoted to their intereſt as he ſtudied to appear. The common council of the city of London, aſſembling the 7th of February, reſolved to pay no more taxes till the parliament was filled [m]. They knew Monk's deſign was to reſtore the members ſecluded in 1648, and, doubtleſs, thought by this reſolution to advance the affair. They had nothing to fear from Monk, and knew the parliament would not recall the regiments which were removed from London, to force the city to obedience. Upon advice of this reſolution, the parliament ordered Monk to lead his army into the city, ſeize eleven members of the common council, and pull down the chains, gates, and portcullices. Monk readily and inſtantly obeyed the order [n]. He aſſembled his forces, entered the city, and The city of London refuſes the payment of taxes. Phillips, p. 684. Skinner. Ludlow, t. II. p. 824. Monk ordered by the parliament to chaſtiſe the city for it's inſolence. Clarendon, III. p. 557. Phillips, p. 648. R. Coke. Whitelock.

[m] It was an aſſeſſment of one hundred thouſand pounds a month, lately impoſed. Heath, p. 436. Whitelock ſays, The council of ſtate found the city of London generally inclined to the bringing in of the king; or to have forthwith a free parliament for that end, p. 695.

[n] "He offered himſelf, if they "would command theſe things to be "done, to ſee their orders put in exe- "cution. Ludlow, tom. II. p. 824.

arreſted

1659-60. arreſted the eleven members of the common council. Then he writ to the parliament an account of what he had done, praying them withal to moderate their rigour, with reſpect to the gates and portcullices. But the parliament, whether through animoſity againſt the city, or a farther trial of Monk's fidelity, and perhaps to engage him in an irreconcileable quarrel with the city, inſiſted upon a punctual compliance with their order, and were immediately obeyed. After that, he returned with his troops to Whitehall, which diſpleaſed the parliament, believing Monk ought not to have quitted the city without their order. The ſame, or the following day, Praiſe-God Barebone, formerly mentioned on occaſion of Oliver Cromwell's firſt parliament, preſented a petition to the houſe, ſubſcribed by many perſons, deſiring the oath of abjuration of Charles Stuart might be taken by all perſons without exception, and he received the thanks of the houſe.

Barebone preſents a petition, that the abjuration oath might be univerſally taken. Clarendon, III. p. 558. Phillips, p. 685. R. Coke.

Monk's late proceedings aſtoniſhed both his friends and the city of London. The magiſtrates, enraged at this treatment, looked upon him as a perfidious man, who had amuſed them with hopes of his ſupporting the re-admiſſion of the ſecluded members, in order to know their ſentiments and as one abſolutely devoted to the parliament. On the other hand, his friends repreſented to him, that he was guilty of an irreparable fault, in quarrelling with the Londoners, who alone were able to ſupport him againſt the parliament bent upon his ruin, whatever they might pretend: that this commiſſion was a ſnare, which had loſt him the confidence of the city, and expoſed him to the parliament's deſigns againſt him; beſides that without the aſſiſtance of London he would never, with his ſmall army, be able to execute his intentions [o].

Monk by the remonſtrances of his friends comes to know his error in embroiling ſelf with the city.

Monk, convinced by theſe reaſons, that he had carried his diſſimulation too far, thought only of repairing his error, by an open rupture with the parliament, in order to regain the eſteem of the city. He therefore ſent, without loſs of time, Clarges his confident to ſir Thomas Alleyne lord mayor, to tell him, he was very ſorry for what he had done, and

Reſolves to repair it. Phillips, p. 685, 686. Skinner.

o In Skinner's life of Monk, it is ſaid, that the orders to march the army into the city, were not directed to Monk alone, but alſo to the other commiſſioners, whereof Haſlerig, Walton, and Morley, were upon the place, and, ever ſince his arrival at London, had acted jointly with him; ſo that had the general refuſed his orders, the others might have done the buſineſs without him, and conſequently, put it to the hazard of removing him from the command of his army. But as he did not let his friends know this reaſon, the action was variouſly cenſured. p. 237.

deſired

desired a conference with him and the common council, to make reparation for his fault. But Clarges could obtain nothing from the lord mayor, who was perſuaded that Monk was deceitful and treacherous, and only ſought to deceive him. Notwithſtanding all this, Monk aſſembled his forces, with a reſolution to march once more into the city, and be reconciled to the magiſtrates, whatever might be the conſequence. At his departure, he ſent a letter to the parliament, writ with the approbation of his principal officers, complaining, "That they gave too much countenance to Lambert, "Vane, and ſeveral that engaged with the late committee "of ſafety; and that they had permitted Ludlow and ſome "others to ſit in their houſe, that had been, by ſir Charles "Coot and ſome of the Iriſh officers, accuſed of high treaſon; and had countenanced too much a late petition to "exclude the moſt ſober and conſcientious, both miniſters "and others, by oaths, from all employment and maintenance; and in fine, peremptorily demanded, that by Friday next, they would iſſue out writs to fill up their houſe; "and when filled, ſhould riſe at an appointed time, to give "place to a full and free parliament."

1659-60.

Brings back his forces into the city. Clarendon, III. p. 559.

Writes a letter to the parliament, filled with complaints and reproaches. Feb. 11. Phillips, p. 686. Ludlow, t. II. p. 826.

By this letter the parliament eaſily perceived, Monk ſought an occaſion of quarrel, which, as it was difficult to avoid, it was judged the wiſeſt courſe to vote Monk the thanks of the houſe for his care, and that his deſires ſhould be ſatisfied without delay. At the ſame time, Scot and Robinſon were diſpatched to him with this reſolution. But Monk was now marched into the city, and had, though with great difficulty, prevailed with the mayor to aſſemble the common council that afternoon. Mean time, the two commiſſioners of the parliament, having waited on Monk with the meſſage returned with little ſatisfaction. He only told them, "All would "be well, if his letter was complied with." Upon this anſwer, the parliament voted, that the command of the army ſhould be lodged in five commiſſioners [p], of whom Monk himſelf was one, and that the quorum of them ſhould be three; but when it was moved, that Monk ſhould always be one of the three, it was carried in the negative.

Marches into the city. R. Coke.

The parliament ſends deputies to him to ſatisfy him. Whitelock. Phillips, p. 686.

But without ſucceſs.

Paſſes an inſignificant vote. p. 687. Ludlow.

In this interval, Monk repairing to the common council, made a ſpeech, in which he teſtified his concern for having accepted a commiſſion ſo diſagreeable in the execution to the city.

Monk reconciles himſelf with the city magiſtrates.

[p] They were ſir Arthur Haſlerig, colonel Morley, Walton, Alured and Monk. Ludlow, tom. II. p. 830, 831.

1659-60. city. That he was forced to accept it, or quit his command, which he had thought proper to keep at ſuch a juncture, for the good of the city, and of the whole nation, whoſe happineſs and advantages he ſhould always promote to the utmoſt of his power. To give an unqueſtionable proof of the ſincerity of his intentions, he communicated to the council his letter to the parliament, and anſwer to the two commiſſioners. As theſe proofs were convincing, the council was appeaſed, and Monk looked upon as a friend come to their relief, notwithſtanding the tranſactions of the foregoing day. When the news of this reconciliation was diſperſed through the city, it was followed with ringing of bells and bonfires in every ſtreet, at which were roaſted numberleſs rumps in contempt of the parliament [q]. Some days after, the council of ſtate ſent to deſire Monk to come and aſſiſt them with his counſels, in regulating the affairs of the nation: but he did not think fit to expoſe himſelf to that danger. He anſwered, that the inhabitants of London were ſo diſſatisfied, that his preſence was abſolutely neceſſary in the city, to keep them in awe. On the other hand, the lord mayor and aldermen conjured him to ſtay in the city, acquainting him, that the parliament was ſecretly endeavouring to corrupt his army, and that ſir Arthur Haſlerig had writ to ſeveral perſons in London, to that purpoſe. So Monk took care to avoid the ſnare laid for him.

Clarendon, III. p. 559. Phillips, p. 687. Burnet. Skinner.

Great rejoicings in the city. Phillips. Ibid. R. Coke. Burnet.

Monk being required by the council of ſtate to aſſiſt in their deliberations, refuſes. Phillips, p. 677.

Since Monk's union with the city, addreſſes for the re-admiſſion of the ſecluded members were more frequent than ever. Very likely, there were emiſſaries diſperſed in ſeveral quarters, to incite the people to offer theſe petitions, which were always favourably received by Monk, it being neceſſary for him to ſupport his deſigns by the general inclination of the people. He knew what uſe was to be made of a preſbyterian parliament, though many who ſigned the petitions, imagined that preſbyterianiſm was going to remount the throne.

Monk receives great numbers of petitions for the re-eſtabliſhment of the excluded members. Phillips, p. 687. Whitelock.

At laſt, on the 18th of February, Monk ſo ordered it, that ſome of the ſitting members had a conference with ſome of the ſecluded, concerning their re-admiſſion. He could have wiſhed this might have been done by common conſent. But the conference was fruitleſs, becauſe the ſitting members could not, or would not, undertake for the parliament's accepting the conditions which ſhould be agreed on. They were for leaving that to the determination of the parliament,

A conference between the members of the preſent parliament, and the excluded ones of 1648, comes to nothing. Clarendon, III. p. 560. Phillips, p. 687.

[q] This Saturday night, Feb. 11. was called the roaſting of the rump. Skinner, p. 230.

who,

who, doubtleſs, would have found means to prolong the affair. But Monk ſaw himſelf indiſpenſably obliged to bring it to a ſpeedy concluſion, for fear a delay might produce an agreement between the army and parliament. This union was ſo natural, in the extremity to which the affairs of the parliament were reduced, that it is aſtoniſhing, no endeavours were uſed to procure it. At leaſt, hiſtory is ſilent upon that head. So Monk, deſirous to improve ſo favourable a juncture, reſolved to introduce the ſecluded members into the parliament, in ſpite of thoſe who were now ſitting. But as this could not be done without the aſſiſtance of the army, he aſſembled his officers, to acquaint them with his intentions. All conſented, on certain conditions relating to their own intereſts, and which were poſitively promiſed. Then Monk made the ſecluded members engage, that after their re-admiſſion, they would call a free parliament, and diſſolve the preſent [r].

1659-60.

Monk's reaſons to preſs the concluſion of the conference.

He reſolves to reſtore by force the ſecluded members. Phillips, p. 688. Clarendon, III. p. 563.

Theſe reſolutions being taken, Monk repaired to Whitehall the 28th of February, attended by all the ſecluded members, and after an exhortation to take care of the intereſts of the nation, gave them a guard to conduct them to the parliament, where they took their ſeats, without any previous notice to the ſitting members. They were ſo ſuperior in number to the independents, that the heads of that party, after a ſhort demur among themſelves, thought fit to withdraw and abandon their cauſe.

The ſecluded members reſume their places. Feb. 21. 1659-60. Clarendon, III. p. 455. Phillips. R. Coke.

The independent chiefs withdraw. Phillips, p. 689.

The ſame day, Monk writ a circular letter to all the regiments, to inform them of the change in the parliament, to aſſure them of the zeal of the reſtored members for the intereſts of the army, and to deſire their oppoſition to all attempts in favour of Charles Stuart. This laſt clauſe was thought neceſſary to keep the army in temper, which was yet far from deſiring the king's reſtoration. This letter was ſigned by Monk himſelf, and his principal officers, and ſent the ſame day to the colonels of the ſeveral regiments.

Circular letters ſent by Monk and his officers to all the regiments. Id. p. 688.

[r] Monk made the ſecluded members, before their admiſſion, ſubſcribe theſe four articles. 1. To ſettle the conduct of the armies in the three nations ſo as might beſt ſecure the peace of the commonwealth. 2. To provide for the ſupport of the forces by ſea and land, and money alſo for their arrears, and the contingencies of the government. 3. To conſtitute a council of ſtate for the civil government of Scotland and Ireland, and to iſſue out writs for the ſummoning a parliament to meet at Weſtminſter the 25th of April. 4. To conſent to their own diſſolution, by a time that ſhould be limited to them, Skinner, p. 241.

This

1659-60. This parliament continued their ſeſſion but twenty five days, during which they did ſeveral things, plainly ſhowing they were far from being the king's enemies. Some of their proceedings ſhall here be laid together, that I may not be obliged to break the thread of the narration. 1. They annulled all votes and orders made by the parliament ſince the 6th of December 1648, againſt the ſecluded members. 2. They releaſed all the impriſoned friends of the king, and amongſt the reſt ſir George Booth [s]. 3. They conſtituted Monk, by act of parliament, captain-general of the armies of the three nations. 4. They repealed the oath of abjuration of Charles Stuart, and all the royal family. 5. They appointed a new council of ſtate conſiſting of one and thirty members, moſt of them royaliſts, and well diſpoſed to ſerve the king [t]. 6. They made great changes in the militia of London, and the ſeveral counties, and revoked all commiſſions granted by the republicans. 7. They abrogated the engagement "to be true and faithful to the commonwealth "without a king, or houſe of peers." by which the lords, who were generally the king's adherents were reſtored to their right of conſtituting a ſeparate houſe in parliament. Laſtly, they diſſolved themſelves the 16th of March, after having iſſued out writs for a free parliament to meet the 25th of April, who were to reſtore the king, which was no longer doubted [u]. However, as ſuch a change could not pleaſe every one, after ſo long an interruption of kingly power, the parliament, before their ſeparation, thought it ſtill neceſſary to amuſe the publick, or at leaſt to leave room to doubt whether the king's reſtoration was intended. Wherefore it was voted, firſt, that no perſon ſhould be admitted to any military employ, before he had ſworn to acknowledge the

Acts made by the parliament during the remainder of its ſeſſion. Phillips, p. 690, &c.

The parliament ſummons another, and diſſolves itſelf. March 16. Clarendon, III. p. 563. Phillips, p. 694.

Votes of the parliament before its ſeparation to amuſe the publick. Ibid.

[s] The earls of Crawford and Lauderdale, and the lord Sinclair, were alſo releaſed.

[t] To let the reader ſee who were then the leading men, it may not be amiſs to inſert the names of this council, which Rapin, by miſtake, ſays, conſiſted but of twenty one members. General Monk, William Pierpoint, John Crew, colonel Roſſiter, Richard Knightley, colonel Popham, colonel Morley, lord Fairfax, ſir Anthony Aſhley Cooper, ſir Gilbert Gerrard, lord chief juſtice St. John, ſir John Temple, lord commiſſioner Widdrington, ſir John Evelyn, ſir William Waller, ſir Richard Onſlow, ſir William Lewis, colonel Edward Montague, colonel Edward Harley, colonel Richard Norton, Arthur Anneſley, Denzil Holles, colonel George Thomſon, John Trevor, ſir John Holland, ſir John Potts, colonel John Birch, ſir Harbottle Grimſtone, John Swinfin, John Weaver, ſerjeant Maynard. Phillips, p. 690.

[u] They alſo raiſed an aſſeſſment of one hundred thouſand pounds a month, for the payment of the army, and defraying the publick expences for ſix months. Clarendon, tom. III. p. 563.

lawful-

lawfulneſs of taking up arms againſt the late king [w]. Secondly, that no perſon who had been in arms againſt the parliament, ſhould be choſen a member of the next parliament. In all appearance, theſe reſolutions were only taken to prevent diſturbances from the malecontents, in the interval betwixt the two parliaments. It is at leaſt certain, that the laſt was neglected in the new elections of repreſentatives, among whom were great numbers of royaliſts. As the non-obſervance of it was to be queſtioned by the next parliament only, there was nothing to be ſaid, till they ſhould meet. 1659-60.

The republicans endeavour to prevail with Monk to take the government upon himſelf, Phillips, p. 693. Warwick.

But theſe deluſive votes were not capable of impoſing on the republicans, who ſaw but too plainly, that a reſolution was taken to reſtore the king. To prevent this blow which could not but cruſh them entirely, they endeavoured to perſuade Monk to take upon himſelf the government, and ſupply the place of Oliver Cromwell [x], chuſing rather to own him for governor or even ſovereign, than be expoſed to the king's vengeance. Monk having conſtantly rejected this offer, they applied to Clarges to deſire him to perſuade the general to accept the government. But Clarges diſcovered their plot to the council of ſtate, who, if Monk had not interceded for them, would have puniſhed them ſeverely.

but without ſucceſs. Phillips, p. 693.

An engagement of ſome officers preſented to Monk to oblige him to abjure the king. He rejects it Phillips, p. 694.

This attempt failing, they privately excited a good number of officers of their own principles to draw up a declaration, by which they engaged to ſupport the republican government. They brought the declaration to the general to ſign, pretending it ſhould afterwards be ſubſcribed by the whole army. But Monk excuſed himſelf, alledging, this precaution was needleſs after the vote, That no adherent of the king ſhould be elected to ſerve in the enſuing parliament. But they made no account of this evaſion, knowing, that it belonged to the houſe of commons to judge of the qualifications of their members. In ſhort, as they continued to importune him, he forbad them with an air of authority, to aſſemble without his permiſſion.

Forbids the officers to aſſemble without leave from him.

The tranſactions in England being quickly carried to cardinal Mazarin, it was not difficult for him to perceive, that Monk had ſome great deſign in view. But as he could not

Mazarin endeavours to intereſt himſelf in the Engliſh affairs, but without ſucceſs. Id. p. 695. Warwick.

[w] In the act of the militia of London was a clauſe, that every commiſſioner ſhall acknowledge and declare, "That the war undertaken by both "houſes of parliament in their defence "againſt the forces raiſed in the name "of the late king, was juſt and lawful, and that magiſtracy and miniſtry "are the ordinances of God." Whitelock, p. 699.

[x] Among the reſt (ſays Skinner) ſir Arthur Haſlerig, to preclude the king's reſtoration, offered him one hundred thouſand hands that ſhould ſubſcribe his title, p. 276.

judge,

1659-60. judge whether that general was labouring for himſelf or the king, he ordered monſieur de Bourdeaux the French ambaſſador at London, to offer his friendſhip to Monk, and every thing in his power, whatever were his deſigns. Probably, the cardinal, who had always treated the king with neglect, and was but little, if at all, deſirous of his reſtoration, would have been glad, Monk had been labouring for himſelf [y]. But in caſe Monk intended to reſtore the king, the cardinal was willing to have ſome ſhare in it, in order to make amends for his harſh uſage of the king, on ſundry occaſions. The ambaſſador applying to Clarges, intimated to him, that the cardinal was ready to ſerve the general in all his undertakings, and deſired a conference with him. But though Monk would not abſolutely refuſe a viſit from the ambaſſador, he ordered Clarges to tell him, it was on condition, he ſhould not propoſe any thing to him in reference to the Engliſh affairs. So, the viſit paſſed in general compliments.

Sir John Greenvil diſpatched to Monk from the king. Clarendon, III. p. 574. Philips, p. 695. Monk anſwers his meſſage. Clarendon, III. p. 574. Philips. Skinner.

The day after the diſſolution of the parliament, ſir John Greenvil, ſent by the king to general Monk, was introduced to him in the night. He told him, the king expected great ſervices from him, and that he would finiſh a work ſo happily begun, and even very far advanced. Monk anſwered, he was always diſpoſed to ſerve his majeſty to the utmoſt of his power: but the troops of the two armies were yet ſo averſe to his reſtoration, that the deſign could not be kept too ſecret, becauſe a diſcovery would give occaſion to the republicans to ſubvert it. Diſſimulation therefore was yet neceſſary, till the parliament which was to meet ſhould complete the work; and, in the mean time, it ſhould be his care to model the army to the king's advantage, by the removal of the moſt ſuſpected officers. He added, the better

[y] Mr Locke ſays, that Monk had agreed with the French ambaſſador to take the government on himſelf, by whom he had promiſe from Mazarin of aſſiſtance from France, to ſupport him in this undertaking. This bargain was ſtruck between them late at night, but not ſo ſecretly, but that Monk's wife, who had poſted herſelf behind the hangings, where ſhe could hear all that paſſed, finding what was tranſacted, ſent immediately notice of it by her brother Clarges to ſir Anthony Aſhley Cooper. She was zealous for the reſtoration of the king, and promiſed ſir Anthony, to watch her huſband, and inform him from time to time how matters went. Upon this notice ſir Anthony ſummoned the council of ſtate, and before them, indirectly charging Monk with what he had learned, propoſed that to remove all ſcruples, Monk would at that inſtant take away their commiſſions from ſuch and ſuch officers in his army, and give them to thoſe whom he named. By this means the army ceaſed to be at Monk's devotion, and was put into hands that would not ſerve him, in the deſign he had undertaken. Memoirs of the earl of Shaftſbury.

to

to execute the projected deſign, he thought it abſolutely neceſſary for the king to prepare a declaration capable of diſpelling the fears of thoſe who were moſt guilty, and promiſe a free and general pardon to all his ſubjects, except ſuch as ſhould be exempted by parliament; and that he would conſent to any act which ſhould be preſented to him for the payment of the arrears due to the army, and for the ſettlement of publick ſales and diſpoſitions of lands to officers, ſoldiers and others; as alſo for toleration or liberty of conſcience, and that no perſon ſhould be moleſted on account of his religion, who ſhould not diſturb the publick peace. Laſtly, his advice was, that the king ſhould remove in time to ſome town of the United Provinces, to prevent his being arreſted by the Spaniards, ſhould they have any ſuch intention, which might ruin the whole undertaking. 1659-60.

The king punctually followed theſe inſtructions, as will be preſently ſeen, and removed from Bruſſels to Breda, not without danger of being ſtopped at Bruſſels, according to the lord Clarendon. Clarendon, III. p. 578.

Mean while, Monk make good uſe of the time, which remained till the meeting of the parliament. He diſplaced, on divers pretences, ſuch officers as were moſt ſuſpected by him, and filled their poſts with others in whom he could entirely confide. Moreover, ſome officers, by his direction, framed an engagement in form of an addreſs to the general, by which they promiſed a ready obedience to the orders of the parliament, when aſſembled. This engagement being preſented to Monk, he approved it, and ordered it to be ſubſcribed by all the regiments in England, Scotland, and Ireland. This gave him a pretence to remove ſuch as refuſed to ſign it. Monk cashiers ſeveral officers, and ſubſtitutes others more faithful in their places. Phillips, p. 697. Burnet. April 9.

While the hopes of the king and his party were daily increaſing, an accident happened, which might have been attended with ill conſequences, had it not been ſpeedily remedied. This was Lambert's eſcape out of the Tower, and his putting himſelf at the head of ſome troops [a]. As he was greatly eſteemed by the ſoldiers, there was danger that all the republicans, who were very numerous in the army, would declare for him. Wherefore Monk loſt not a moment to prevent this danger before the miſchief reached any farther. Lambert having aſſembled ſome diſcontented troops at Daventry, Ingoldſby was immediately ſent againſt him 1660. Lambert eſcapes out of the Tower, and puts himſelf at the head of ſome troops. April 9. Clarendon, III. p. 567. &c. Phillips, p. 698. R. Coke. Whitelocke. Ludlow, t. II. p. 873.

[a] Seven or eight troops of horſe, and one company of foot. Phillips, p. 608. —— Four troops of horſe in all, ſays Whitelock, p. 659.

1660. with Monk's own regiment, and ordered to take ſome other troops in his way and give him battle. This extreme diligence did the buſineſs effectually. As Lambert had not yet time to aſſemble many troops, Ingoldſby met him the 22d of April, thirteen days after his eſcape, defeated and ſent him to the Tower. Thus the fear which Lambert's eſcape had infuſed into the king's party was entirely diſpelled.

Is defeated, and made priſoner by Ingoldſby.

A forged letter diſperſed to prevent the king's reſtoration. Phillips, p. 699.

Two days before the parliament met, the republicans made another attempt to prevent the king's reſtoration, by diſperſing a forged letter from Bruſſels, in which it was ſaid, that the king only waited his reſtoration, to be ſeverely revenged upon all his oppoſers. It was alſo added, that his party was preparing to put them all to the ſword. This forged letter beginning to do miſchief, the lords, and others of the king's party, publiſhed a declaration ſigned by ſeventy perſons, in which they diſavowed the intentions aſcribed to them, and proteſted, that their deſire was to live peaceably, without any thoughts of revenge upon the authors of their ſufferings.

Declaration of the king's party. Clarendon, III. p. 578. Phillips, p. 700.

The new parliament met the 25th of April, in two houſes, the one of lords, the other of commons, agreeably to the antient conſtitution [a]. In the houſe of lords moſt were the king's friends. In that of the commons, it was found, that many royaliſts were elected, notwithſtanding the above-mentioned vote. Some preſbyterians, who were not in the ſecret, had a mind to complain, and moved for an examination of the elections, but were not heard. Moſt of the preſbyterian members were no leſs zealous than the royaliſts for the king's reſtoration, which every one wiſhed, not ſo much, perhaps, out of affection to him, as to deliver the kingdom from the dominion of the independents and fanaticks, and from the tyranny of the army, which had laſted twelve years.

The parliament meets. April 25. Clarendon, III. p. 589. Phillips, p. 701. Whitelock. Warwick.

The king ſends a commiſſion to Monk to make him general. Phillips, p. 701. Skinner.

Two days after the opening of the parliament, Greenvil, returning from Bruſſels, waited on Monk, with a commiſſion from the king, conſtituting him captain-general of all the forces of the three kingdoms, and alſo with a letter from his majeſty to be communicated to the council of ſtate, and the officers of the army. But Monk declines to open the letter, till he had received the parliament's directions. Mean time, the commons having adjourned themſelves for two or three days, Greenvil applied himſelf to the lords, and

[a] Edward Montague, earl of Manchester, was choſen ſpeaker for the lords, and ſir Harbottle Grimſtone for the commons. Phillips, p. 701.

preſented to them a letter from the king, with a declaration dated the 14th of April. 1660.

In the letter the king told the lords, that hearing, they were again acknowledged to have the authority, belonging to them by their birth, he hoped they would uſe it for the publick good, for compoſing the diſtractions of the kingdom, and for reſtoring him to his juſt prerogatives, the parliament to their privileges, and the people to their liberties. As for the declaration, it will be neceſſary to inſert it at large.

Greenvil preſents a letter, and a declaration to the lords from the king. The ſubſtance of it. Clarendon, III. p. 591. Whitelock.

CHARLES REX,

"CHARLES by the grace of God, king of England, Scotland, France and Ireland, defender of the faith, &c. To all our loving ſubjects, of what degree or quality ſoever, greeting. If the general diſtraction and confuſion which is ſpread over the whole kingdom, doth not awaken all men to a deſire and longing, that thoſe wounds which have ſo many years together been kept bleeding, may be bound up, all we can ſay will be to no purpoſe: however, after this long ſilence, we have thought it our duty to declare how much we deſire to contribute thereunto: and that as we can never give over the hope, in good time to obtain the poſſeſſion of that right, which God and nature hath made our due; ſo we do make it our daily ſuit to the divine providence, that he will, in compaſſion to us and our ſubjects, after ſo long miſery and ſufferings, remit, and put us into a quiet and peaceable poſſeſſion of that our right, with as little blood and damage to our people as is poſſible; nor do we deſire more to enjoy what is ours, than that all our ſubjects may enjoy what by law is theirs, by a full and entire adminiſtration of juſtice throughout the land, and by extending our mercy where it is wanted and deſerved.

The king's declaration. Phillips, p. 702. Clarendon, III. p. 582.

"And to the end that fear of puniſhment may not engage any, conſcious to themſelves of what is paſt, to a perſeverance in guilt for the future, by oppoſing the quiet and happineſs of their country, in the reſtoration both of king, peers, and people, to their juſt, antient, and fundamental rights; we do by theſe preſents declare, That we do grant a free and general pardon, which we are ready, upon demand, to paſs under our great ſeal of England, to all our ſubjects, of what degree or quality ſoever, who within forty days after the publiſhing hereof, ſhall lay hold upon this our grace and favour, and ſhall by any

1660. "lick act declare their doing ſo, and that they return "to the loyalty and obedience of good ſubjects, except- "ing only ſuch perſons as ſhall hereafter be excepted "by parliament: thoſe only excepted, let all our ſub- "jects, how faulty ſoever, rely upon the word of a "king, ſolemnly given by this preſent declaration, that "no crime whatſoever, committed againſt us, or our royal "father, before the publication of this, ſhall ever riſe in "judgment, or be brought in queſtion againſt any of them, "to the leaſt endamagement of them, either in their lives, "liberties, or eſtates, or (as far forth as lies in our power) "ſo much as to the prejudice of their reputations, by any "reproach, or terms of diſtinction from the reſt of our beſt "ſubjects; we deſiring and ordaining, that henceforward "all notes of diſcord, ſeparation, and difference of parties, "be utterly aboliſhed among all our ſubjects whom we in- "vite and conjure to a perfect union among themſelves, "under our protection, for the reſettlement of our juſt "rights and theirs, in a free parliament, by which, upon "the word of a king, we will be adviſed.

"And becauſe the paſſion and uncharitableneſs of the times "have produced ſeveral opinions in religion, by which men "are engaged in parties and animoſities againſt each other, "which, when they ſhall hereafter unite in a freedom of "converſation, will be compoſed, or better underſtood; we "do declare a liberty to tender conſciences; and that no "man ſhall be diſquieted, or called in queſtion for differences "of opinion in matters of religion, which do not diſturb the "peace of the kingdom, and that we ſhall be ready to con- "ſent to ſuch an act of parliament, as upon mature delibe- "ration ſhall be offered unto us, for the full granting that "indulgence.

"And becauſe in the continued diſtractions of ſo many "years, and ſo many and great revolutions, many grants "and purchaſes of eſtates have been made to and by many "officers, ſoldiers, and others, who are now poſſeſſed of the "ſame, and who may be liable to actions at law, upon ſe- "veral titles; we are likewiſe willing, that all ſuch differen- "ces and all things relating to ſuch grants, ſales and pur- "chaſes, ſhall be determined in parliament, which can beſt "provide for the juſt ſatisfaction of all men who are con- "cerned.

"And we do further declare, that we will be ready to "conſent to any act or acts of parliament, to the purpoſes "aforeſaid, and for the full ſatisfaction of all arrears due

"to

" to the officers and ſoldiers of the army under the com- 1660.
" mand of general Monk, and that they ſhall be received
" into our ſervice upon as good pay and conditions as they
" now enjoy."

Immediately after the reading of this declaration, the lords voted, " That, according to the antient and fundamental " laws of this kingdom, the government is, and ought to be " by king, lords, and commons." Vote of the lords in favour of the king. Phillips, p. 703.

Then, ſir John Greenvil came to the houſe of commons, and preſented a letter to them from his majeſty, with the ſame declaration incloſed, which was read, as well as the letter directed to general Monk to be communicated to the council of ſtate and the army. Theſe papers, which, three months before, would have lain unregarded on the table, were now conſidered as convincing proofs of the king's good intentions, and ſufficient reaſons to reſtore him to the exerciſe of the kingly power, without requiring other conditions than what he ſhould himſelf be pleaſed to grant. The commons therefore readily agreed to the vote of the lords, and ſo the king ſaw himſelf reſtored without any of the conditions which had cauſed ſo long a war, and ſo great an effuſion of blood. This is a clear evidence, either that the royaliſts were much ſuperior in number in the houſe, which nevertheleſs is not very probable, or that the preſbyterians were willing to deſiſt from conditions which they had formerly ſo ardently demanded, for certain terms relating to their religion, which had been poſitively promiſed, but which, as they were never performed, gave afterwards too juſt cauſe of complaint.

The commons receive a letter from the king, with the declaration. Id. p. 703.

The commons concur with the lords, and the king is reſtored without any conditions.

The king being effectually recognized, by the vote of both houſes, the commons ordered, that fifty thouſand pounds ſhould be preſented to him, ten thouſand to the duke of York, and five thouſand to the duke of Glouceſter. Theſe princes had never before been maſters of ſuch ſums [b].

Preſents made by the commons to the king, duke of York, and duke of Glouceſter. Whitelock. Phillips, p. 705, 706. Clarendon, III. p. 592, &c. R. Coke.

Then the commons ordered, that all the journals ſhould be ſearched, and thoſe acts and orders razed out which were inconſiſtent with the government of king, lords and commons. The army, the navy, and the city of London prepared addreſſes to congratulate his majeſty on his reſtoration, and to promiſe him perfect obedience, and theſe addreſſes were delivered to Clarges, who undertook to carry them to the king. The 8th of May, the king was proclaimed in London with great ſolemnity, and commiſſioners from the

The king proclaimed. May 8. Phillips, p. 708.

[b] The city of London ſent alſo ten thouſand pounds to the king, and a thouſand pounds a-piece to his two brothers. Philips, p. 707.

1660. parliament and city departed on the 11th to wait on the king, who expected them at the Hague. Some presbyterian ministers also repaired thither, as well to imprint on the king a sense of the service lately done him by their sect, as to sound his inclinations with regard to the liberty, which they had probably stipulated, before they engaged in the affair of his restoration. The king confirmed by word of mouth what he had promised by his declaration. But when they besought him not to revive the use of the common prayer, in his chapel, and that the surplice might be discontinued, he warmly answered, "That whilst he gave them liberty, he would "not have his own taken from him [c]."

Commissioners from the parliament and city to the king. Id. p. 707. Clarendon, III. p. 600.

Conference between some presbyterian ministers and the king. Id. p. 601.

After the king had given audience to the parliament's commissioners the 16th of May, and received the homage of admiral Montague, and the other officers of the navy, who waited on him at Scheveling, he still remained some days at the Hague, as well to prepare for his departure, as to receive the compliments of the states [d], and embarked the 23d. He arrived at Dover the 25th, and the same day at Canterbury, where on the morrow, he honoured Monk with the order of the garter. The 29th, his birth-day, he arrived at Whitehall, through a numberless multitude of people, who, by their acclamations, demonstrated their joy at his restoration [e].

The king gives audience to the deputies from the parliament. May 16.

Arrives at Whitehall. May 29. Phillips, p. 710, 711. Clarendon, III. p. 602.

[c] Whitelock says, "The ministers "had discourse with the king, and "were much satisfied with him," p. 702. But the lord Clarendon's words are: "Though they were "much unsatisfied with him, they "ceased farther troubling him." Tom. III. p. 602.

[d] Who made him a present of six thousand pounds. Whitelock, p. 701.

[e] Burnet observes, in the history of his own times, that such unanimity appeared in the proceedings of the parliament for the king's restoration, that there was not the least dispute among them, but upon one single point, yet that was a very important one. Hale, afterwards the famous chief justice, moved, That a committee might be appointed to look into the propositions that had been made, and the concessions that had been offered by the late king, and from thence digest such propositions, as they should think fit to be sent over to the king. This was seconded, but by whom the bishop forgot. As such a motion was foreseen, Monk was instructed how to answer it: he told the house, that he had information of such numbers of incendiaries still in the kingdom, that if any delay was put to the sending for the king, he could not answer for the peace either of the nation or army. And as the king was to bring neither army nor treasure with him, either to fright or corrupt them, propositions might be as well offered to him when he should come over; so he moved for sending commissioners immediately. This was echoed with such a shout over the house, that the motion was no more insisted on. And this, says Burnet, was indeed the great service Monk did. To the king's coming in without conditions, may be well imputed all the errors of his reign, and it may be added, many mischiefs that followed afterwards, p. 88, 89.

The parliament, on April 25. 1660, agreed upon a new sort of coin, whereof there

were coined crowns, half crowns, ſhillings, ſixpences, pence, and halfpence. The larger pieces were inſcribed on one ſide, THE COMMONWEALTH OF ENGLAND, and had St. George's croſs in a ſhield, betwixt a palm branch and a laurel; reverſe, the farthing ſhield conjoined to another, in which is a harp for Ireland (vulgarly called the breeches) above which there is XII. the legend GOD WITH US. The ſixpence has VI. above the ſhields. The twopence and pence have no inſcription, only the initial figures; and the penny only the ſingle ſhield, with the harp on the reverſe. There were likewiſe coined pieces of fine gold, of the ſame form and inſcription as the ſilver money, XX. above the arms. The half of them have X. (fig. 2.) The ſixpence 1651, is, ſtrictly ſpeaking, the firſt milled money, queen Elizabeth's being only marked on the flat edge. The copper farthing has the croſs under a garland, ENGLANDS FARTHING. Reverſe, a harp, FOR NECESSARY CHANGE. Oliver Cromwell's crown piece is inimitably performed, and preſerved as a choice medal in the cabinets of the curious, being the firſt milled money that has an inſcription upon the rim. It has his head laureat, OLIVAR D. G. PR. ANG. SCO. HIB, &c. PRO. Reverſe, in a ſhield crowned with the imperial crown of England, St. George's croſs in the firſt and fourth quarters; St. Andrew's for Scotland in the ſecond; and the harp for Ireland in the third; and in a ſcutcheon of pretence his paternal coat, namely, a lion rampant, legend PAX QUÆRITUR BELLO. 1658. upthe rim, HAS. NISI. PERITVRVS. MIHI. ADIMAT. NEMO. The dye of this piece having received a flaw or crack the firſt ſtroke leaves a mark upon the money juſt below the neck; a ſure token to diſtinguiſh the true crown pieces from the counterfeit. The half crown is, equally beautiful, though not ſo rare. The ſhilling is likewiſe a very fair piece, milled on the edge, and very rare, (fig. 1.)

P. Lely p. G. Vertue Sculp.

THE

HISTORY OF ENGLAND.

BOOK XXIII.

26. CHARLES II.

AT the arrival of the king, the face of England was entirely changed, and joy, pleaſures, publick and private rejoicings ſucceeded to trouble, fear, and conſternation. The people were ſo tired of the life they had led for twenty years paſt, that they did not believe it poſſible to be in a worſe ſtate. Every one rejoiced to ſee at laſt a calm after ſo long a ſtorm, and expected to enjoy a tranquillity, ſought in vain for ſo many years. The royaliſts and epiſcopalians were at once raiſed to the height of their wiſhes, in beholding Charles II. on the throne of his anceſtors, and the church of England about to reſume her former luſtre. The preſbyterians flattered themſelves, that their late ſervices for the king would at leaſt procure them an entire liberty of conſcience, and the free exerciſe of their religion. The republicans, independents, anabaptiſts could not, indeed, hope to be reſtored to the ſtate they had enjoyed ſo many years, but expected at leaſt an entire impunity, agreeably to the Breda declaration. The regicides, *that is*, the late *king's judges*, were the only perſons that could not but expect the puniſhment, they juſtly deſerved, and

1660.

Hopes of the ſeveral parties at the king's arrival. Burnet.

1660. and yet, even they deſpaired not of the king's clemency, as indeed, ſuch as caſt themſelves upon it, were not wholly diſappointed. It is not therefore ſtrange that the whole kingdom ſhould reſound with joyful tranſports, and unite in receiving with loud acclamations a king, who, according to the general expectation, was to reſtore the publick tranquillity and happineſs, and put all things in their natural order.

Extreme pre-poſſeſſion in favour of the king. Idem.

Charles II. at the time of his reſtoration, was thirty years old, and but little known to moſt of his ſubjects, because he had long lived out of his dominions. His action in the weſt, during his youth, where he commanded for the king his father, had been diſtinguiſhed by no advantageous event. His conduct in Scotland, when he was called to the crown of that kingdom, had not redounded to his honour, ſince, in his declaration publiſhed there, he had not ſcrupled to ſacrifice the king his father to his own private advantage. In ſhort, the battle of Worceſter had acquired him no reputation, in which ſome pretend he had been too careful of his perſon, though others ſpeak of his valour on that occaſion with great commendation. However this be, his defeat did not contribute to raiſe his fame as a general. Nevertheleſs, his friends, with a view to his reſtoration, had publiſhed ſuch extravagant praiſes of him and with ſuch aſſurance, that, before his arrival in England, he paſſed there for an accompliſhed prince, endowed with all the virtues and noble qualities of a hero. This prepoſſeſſion did more miſchief to England, than all the calumnies thrown upon the late king. Every one was thereby almoſt equally diſpoſed to put an entire confidence in the new king, in the belief, that a prince of ſuch a character could never abuſe it [a]. It was hoped, that content with reſtoring the government to the ſtate it was in under queen Elizabeth, he would avoid treading in the ſteps of his father and grandfather, without attempting to extend his prerogative. This hope was the more readily entertained, as it was not doubted, that the example of his father had made a ſtrong impreſſion upon him. It will here-

[a] When the earl of Southampton came to ſee what Charles II. was like to prove, he ſaid once, in great wrath, to chancellor Hyde, that it was to him they owed all they either felt or feared; for if he had not poſſeſſed them, in all his letters, with ſuch an opinion of the king, they would have taken care to have put it out of his power, either to do himſelf or them any miſchief. Hyde anſwered, he thought the king had ſo true a judgment, and ſo good nature, that when the age of pleaſure ſhould be over, and the idleneſs of his exile turned into an obligation to mind affairs, that he would have ſhaken off theſe intangle[illegible] Clarendon, p. 89.

after

after appear, to what exceſs this confidence was carried, and what uſe Charles made of it to begin the ruin of the liberty and religion of the Engliſh, which his ſucceſſor James II. had certainly accompliſhed, had not God, by a revolution the moſt wonderful, blaſted his deſigns, when he thought himſelf moſt ſecure of ſucceſs. This project to render the king abſolute, and equally to employ for that purpoſe the aſſiſtance of catholicks and proteſtants, begun by James I. vigorouſly purſued by Charles I. interrupted by twenty years troubles, was eagerly reſumed under Charles II. If this be not laid down as the baſis of the events of this reign, I do not think it poſſible to account for the conduct of king Charles II. unleſs it be believed, that he acted by mere caprice, without principles, maxims, or any deſign, which can not be thought of a prince, who had as much wit and ſenſe as any prince in Europe. But it is not yet time to deſcend to theſe particulars, eſpecially as it is uncertain whether this project was formed at the beginning of his reign, or owing to ſome favourable junctures. At leaſt, the conduct of Charles immediately after his reſtoration, gives no occaſion to ſuſpect he had already thought of it. 1660.

Deſign to render the king abſolute.

Charles had, as I have ſaid, embraced the catholick religion, before his return into England. Some ſay, he abjured the proteſtant religion to cardinal de Retz, before he left France the laſt time. Others pretend, it was in the year 1659, in his journey to Fontarabia, in order to procure his reſtoration by the aſſiſtance of the two crowns of France and Spain. However this be, the ſecret, known only to the earl of Briſtol and ſir Henry Bennet, afterwards earl of Arlington, was ſo well concealed, that the publick was ignorant of it till after the king's death, when his ſucceſſor, James II. was pleaſed to divulge it. But at preſent, it is a thing of which there is no room to doubt. It may be affirmed, his embracing the catholick religion was not through a principle of conſcience, ſince, in the whole courſe of his life, he ſhowed no ſenſe of religion. The greateſt compliment a famous author thinks fit to pay him, is, to ſay he was no atheiſt [b]. This is confirmed by the character given of him by the earl of Mulgrave, who cannot be ſuſpected of a deſign to ſlander him. His ſentiments of religion in general may be judged of, by what doctor Burnet ſays of him, in the hiſtory

The king's religion. Burnet, p. 73, 74.

Id. p. 73.

Ibid.

The earl of Mulgrave in his character of Charles II.

[b] Burnet's words are. "He ſaid "once to myſelf, he was no atheiſt, "but that he did think God would make "a man miſerable, only for taking a "little pleaſure out of the way." Tom. I, p. 93.

Of

1660. of his own times, namely, that he ſcrupled not to communicate the ſame day in two different chapels, publickly in the proteſtant, and privately in the popiſh. However, he loſt no opportunity, in his ſpeeches to the parliament, to boaſt of his attachment to the proteſtant religion, and his zeal for its advancement. Such behaviour, ſo unworthy of a chriſtian, cannot but be very injurious to his memory. Accordingly, thoſe, who have moſt endeavoured to palliate his failings, have not been able to deny, he was a perfect maſter of diſſimulation.

King Charles's governing maxim. Burnet, P. 94.

He had, beſides this, a maxim not much leſs dangerous, namely, that there was neither ſincerity nor civility in the world out of principle, but that ſome had one or the other out of humour or vanity; and believed no body ſerved him out of love, and therefore he was even with all the world, and loved others as little as he thought they loved him. He was extremely affable, and ſo eaſy and complaiſant, that he ſeemed to take a pleaſure in beſtowing favours, by his manner of receiving the requeſts that were made to him. But he forfeited at laſt the eſteem and affection of his ſubjects, who had almoſt adored him in the beginning of his reign, becauſe they diſcovered how little they could depend on kind words and fair promiſes, in which he was liberal to exceſs.

His faults. Burnet. Mulgrave.

He was ſo addicted to his pleaſures, that though he was very capable of buſineſs, had a good judgment, quick apprehenſion and great penetration, his miniſters could hardly prevail with him to ſuſpend his pleaſures ſome hours, and attend to affairs which required ſome application. But it happened alſo ſometimes that when he would apply himſelf to buſineſs, he diſpatched more in one day, than his miniſters in ſeveral.

As his miſtreſſes devoured his whole time, ſo they conſumed all his treaſures. Though his revenues were larger than thoſe of any of his predeceſſors, except Henry VIII. and the parliament often granted him extraordinary ſupplies, he was ever in want, becauſe he ſpent his money without meaſure or diſcretion, as he received it. This threw him upon his parliament, and, not to break with the commons, he was obliged to promiſe what he never intended to perform.

His good qualities.

Theſe are the principal faults imputed to king Charles. But, on the other hand, it cannot be denied, that he had many good qualities, which might have produced happy effects, had he made a better uſe of them. His wit was lively,

lively, his conception wonderful, and his judgment exquiſite. 1660.
He knew the intereſts of the princes of Europe, better than any of his miniſters. He had applied himſelf, during his exile, to the ſtudy of phyſick and the mathematicks, and more particularly to navigation, and the building of ſhips, in which he had made great progreſs. With theſe qualities, he might very eaſily have governed his dominions, in a manner glorious to himſelf and advantageous to his ſubjects, and made himſelf arbiter of Europe. And yet, his reign cannot be ſaid to be either glorious to himſelf, or happy to his ſubjects. The reaſon is, that becauſe of his attachment to his pleaſures and natural remiſneſs, he delivered himſelf up to the counſels of his miniſters, and particularly of his brother the duke of York, who, during this whole reign, had but too much influence upon the reſolutions of the king's council, into which he found means to introduce ſuch as he believed proper for the execution of his projects, with regard to church and ſtate. The duke of York was of a temper more active, violent, haughty, and revengeful. He had formed the deſign of raiſing the royal authority to a great height, and withal, of reſtoring the catholick religion in England. He never ceaſed, through this whole reign, to purſue theſe projects, but more eſpecially, after he was aſſured, the king his brother could not expect any legitimate children. All the principal events of this reign, depending properly upon the humour and character of theſe two princes, I thought it neceſſary to premiſe this deſcription of them.

Duke of York's character.

The king was received in London with extraordinary acclamations, and it began then to be perceived, that, under colour of rejoicing for the king's reſtoration, the Engliſh were throwing themſelves into a diſſoluteneſs, which would not have been endured under the preſbyterians and independents, but which daily increaſed during this whole reign, by the ill examples of the king and the court.

Great licentiouſneſs in England. Burnet.

The king's firſt care was to eſtabliſh a counſel, compoſed chiefly of thoſe who had ſhown moſt zeal or affection for himſelf, or the king his father. He received, however, ſome men into it, who ſeemed naturally to have no pretenſions thereto [c].

The king forms his council.

[c] They were thirty in all. The dukes of York, and Gloceſter, ſir Edward Hyde, general Monk, admiral Montague, earl of Sandwich, the marquis of Ormond, the marquis of Dorcheſter, the marquis of Hertford, the earls of Southampton, Lindſey, Berkſhire, Norwich, Mancheſter, Northumberland, St. Albans, and Leiceſter; viſcount Say; the lords Wentworth, Seymour, Colepepper, and Roberts; Denzil Holles, ſir Frederick Cornwallis, ſir George Carteret, ſir Anthony Aſhley Cooper, colonel Howard, Arthur Annesley, ſir Charles Berkley, ſir Edward Nicholas, and ſir William Morrice.

This

1660. This was the effect of his policy: for it appeared, in his conduct at firſt, that his principal aim was to ſuppreſs the former troubles, in which he could not better ſucceed, than by ſecuring a perfect reliance on his promiſes publiſhed in his Breda declaration. His intention was to ſtifle, as much as was poſſible, the enmities which had ſo long divided his ſubjects, and to unite them all in an obedience to the laws, and a ſincere attachment to his perſon as their true center. He laboured this for ſome time with zeal, even, as I ſaid, to the receiving into his council men, who had profeſſed themſelves his greateſt enemies. Herein he imitated his grandfather Henry IV. of France; but, as will be ſeen hereafter, he was not ſuffered long to purſue this courſe.

Chancellor Hyde his firſt miniſter.

Edward Hyde lord chancellor, and ſoon after earl of Clarendon, was the king's prime miniſter, in whom, with great reaſon, he entirely confided. But, as very viſibly appears in his hiſtory of the civil wars, he was a mortal enemy of the preſbyterians, and conſequently, little proper to preſerve the king in his reſolution of procuring tranquillity for all his ſubjects without diſtinction.

The parliament called a convention.

As ſoon as the king was arrived in England, the aſſembly, which from the 25th of April had been honoured with the name of parliament, was only called the convention, the king being unwilling to own for parliament, an aſſembly which had not been ſummoned by his writs. But this change of

June 1. name was of no long continuance. Two days after his arrival, the king went to the houſe of lords, where he ſent for

Acts paſſed by it. Statutes, 12 Car. 2. the commons, and gave the royal aſſent to three acts: the firſt was, to change the convention into a parliament[d]: the ſecond, to continue the monthly tax of ſeventy thouſand pounds for three months; and the third, to continue all judicial proceedings.

The parliament chiefly compoſed of preſbyterians. R. Coke. Had the directions and orders of the foregoing parliament been followed, this parliament ſhould have admitted no member, who had either ſerved the laſt or preſent king. But this order having been neglected in the elections, all were admitted without diſtinction or examination, who had been choſen. As the ſcheme for the king's reſtoration was entirely formed, when this parliament met, the preſbyterians, who were much ſuperior in number, did not think proper to exclude the royaliſts, with whom they had agreed to

[d] And to prevent all doubts and ſcruples concerning this parliament, it was enacted, that the lords and commons then ſitting at Weſtminſter, were the two houſes of parliament, and ſo ſhould be declared and adjudged to be, notwithſtanding any want of the king's writs of ſummons. Statute, 12. Car. 2. c. 1.

reſtore

reſtore the king. Neither was it thought fit to exclude the republicans, nor the regicides themſelves, who were not conſiderable enough to obſtruct the project agreed on. This parliament is therefore to be looked upon as an aſſembly, where the preſbyterians had certainly a ſuperiority of voices, and it was this parliament that reſtored the king to the throne of his anceſtors, and, during their ſhort continuance, gave him very real marks of their zeal for his ſervice, and the re-eſtabliſhment of peace and tranquillity in the kingdom *. 1660.

The affairs of this parliament, after the king's arrival, conſiſted in three principal points. The firſt was an act of pardon or indemnity for whatever had paſſed ſince the beginning of the troubles. This act was abſolutely neceſſary for the ſecurity both of the perſons and deſcendants of thoſe who had been concerned in theſe troubles, and were liable to be called to an account, if the laws had been ſtrictly executed. For as, from the year 1642, the king's party had been deemed rebels by thoſe who were in power; the king, coming to rule in his turn, might have declared rebels all who had been in arms either againſt him or his father. The queſtion of right concerning the war between the king and the parliament, remaining undecided, it was natural for him who had the power in his hands, to explain the laws in his own favour. But, on the other hand, it was to be feared, that rigour, on this occaſion, would kindle a new flame. Beſides, it was very difficult preciſely to explain wherein conſiſted the rights of the king and thoſe of the ſubject, conſidering the arguments on both ſides, and the infinite cavils to which ſuch a diſcuſſion was liable. In a word, explications of this nature had occaſioned the troubles, which, if it was poſſible, were intended to be buried in eternal oblivion. It was thought therefore that the beſt means to quiet the minds of the ſubjects was, an act of indemnity for every thing during the troubles. Principal affairs of the parliament. An act of indemnity. Phillips, Kennet's regiſter.

The ſecond affair of the parliament, was to enable the king to diſband the army. There was no reaſon for keeping on foot an army which had been the principal cauſe of the diſorders committed of late years, and which would have been ſtill capable of diſturbing the peace of the kingdom under an able leader. The army.

* Burnet, &c. theſe five following perſons, all preſbyterians, had the chief hand in the reſtoration; ſir Anthony Aſhley Cooper, afterwards earl of Shaftſbury, ſir Arthur Annesley, afterwards earl of Angleſey, Denzil Holles, created lord Holles of Iſield, the earl of Mancheſter, and the lord Roberts. p. 96.

The

1660. The third affair was the ſettling the king's revenue, ſince it was abſolutely neceſſary to give him wherewithal to ſupport the government, and put him in a condition to be courted and feared. On theſe three important affairs the parliament beſtowed their firſt care, and began with the act of indemnity, as being the moſt urgent. For this purpoſe the houſe of commons ſolemnly declared, in an addreſs preſented to the king by the whole houſe, that they accepted, in the name of themſelves, and all the commons of England, the gracious pardon offered by his majeſty in his declaration from Breda, with reference to the excepting of ſuch as ſhould be excepted in an act of pardon. The lords likewiſe preſented a petition of the like import.

The king's revenues.

The commons accept the pardon promiſed by the king. Kennet.

So do the lords.

Immediately after, the king publiſhed a proclamation, declaring, that all ſuch of the late king's judges as did not ſurrender themſelves within fourteen days, ſhould be abſolutely excluded from the general pardon. Though, by the words of this proclamation, thoſe who ſurrendered themſelves could not be aſſured of their lives, it was nevertheleſs underſtood, that the king made uſe of this artifice only to have it believed, that he would not limit the power and reſolutions of the parliament on this point, and it was not doubted that the two houſes conſidered this proclamation as a ſort of pardon, at leaſt for life, to thoſe who ſhould confide in it. In conſequence of this proclamation, twenty of the late king's judges voluntarily ſurrendered themſelves. Others withdrew out of the kingdom, and ſome were taken in attempting to eſcape.

Proclamation in favour of the king's judges. June 6. Kennet's regiſter, p. 375. Phillips. Heath.

The republicans demand of the king particular letters of pardon.

While the parliament proceeded in the bill of indemnity, ſome leading republicans, who had not been the king's judges but had exerciſed civil or military employs during the troubles, fearing to be called to an account, demanded of the king letters of pardon under the great ſeal, in order to ſcreen themſelves from all proſecution. The king very readily granted their requeſt, ſhowing thereby that he really intended to perform his promiſe in his Breda declaration. For he was perſuaded, there was no better way to pacify the troubles, and give his ſubjects confidence, than the exact obſervance of his promiſes.

The king, his brothers, &c. dine in the city. Phillips, p. 734.

The 5th of July, the city of London invited the king and the two princes his brothers, the great officers of the crown, and both houſes of parliament to an entertainment, the magnificence whereof was ſuitable to the riches of the city which gave it, and the quality of the perſons invited.

Though

Though the king really intended the act of indemnity should be quickly dispatched, it met with great obstacles in the house of commons with regard to the clauses which were to be inserted. Some were for having no regard to the Breda declaration, but for making examples of all who had most ardently supported the late usurpation. This raised a suspicion that the king encouraged these men, and intended to suspend the effect of his declaration by means of the parliament, till he was revenged of his enemies. This was industriously dispersed amongst the people in libels, tending to destroy all confidence in the king's promises, and revive the troubles by driving to despair those who knew themselves most guilty. To dispel therefore these suspicions, which might have produced ill effects, the king sent a message to the house, to press them to dispatch the act of indemnity, and to make it agreeable to his declaration from Breda. This message so quickened the debates, that a few days after, the act passed the house of commons, and was sent up to the lords for their concurrence. 1660.

The act of indemnity meets with some hindrances. Ibid.

In the bill, the house of commons excepted for life and estate, but a few of the most notorious and active regicides. But the lords, incited by divers petitions of the widows, children, and relations of persons executed by the sentences of the courts erected during the usurpation, were for excepting from pardon all who had been judges in those courts. The king fearing new delays from this difference of sentiments between the two houses, came to the house of lords, the 27th of July, and in a pathetick speech, endeavoured to persuade them to pass the bill as sent up by the commons. He represented to them "that he was obliged in honour to perform what he had promised in his declaration; that he never thought of excepting any but the immediate murtherers of his father; that the peace and tranquillity of the kingdom entirely depended upon the performance of his promise, which (says he) if I had not made, I am persuaded neither I nor you had now been here: I pray therefore let us not deceive those who brought or permitted us to come together, and earnestly desire you to depart from all particular animosities and revenge, or memory of past revocations, and pass this act without other exceptions than of those who were immediately guilty of the murder of my father."

Prepared by the commons. Phillips, p. 716.

The king's speech to the lords. Ibid. Kennet's register, p. 183.

This speech, and a message sent by the king to both houses on the same subject, determined the lords to conform to the declaration from Breda. They therefore sent the bill to the commons

Amendments made by the lords to the bill

1660. commons with two amendments. The firſt concerned twenty perſons, who by the commons bill were liable to all the penalties, it ſhould pleaſe the parliament to inflict, death excepted, though they were not the king's judges. The lords refuſed their conſent to this clauſe [f], becauſe it was contrary to the declaration from Breda. The other amendment related to the twenty judges of the late king, who had voluntarily ſurrendered themſelves upon the king's proclamation of the 6th of June. For the lords included in the pardon, both for life and eſtate, theſe twenty, who had diſtinguiſhed themſelves from the reſt by their confidence in the king's clemency, whereas the commons were only for granting them life, leaving them liable to forfeiture of eſtates, impriſonment, baniſhment, or ſuch other penalties as the parliament ſhould think proper. This was the ſubject of ſeveral conferences between the two houſes, which in the end, produced an unanimity of ſentiments, according to which the act was formed. In one of theſe conferences, chancellor Hyde declared, that being employed in an embaſſy to Spain, he was expreſly charged by his majeſty to avow, "That the horrible murder "of his father was not the act of the parliament, or people "of England, but of a very wretched and little company of "miſcreants in the kingdom." This was ſo agreeable to the commons, that they ordered ſuch of the privy council, as were members of the houſe, to thank the king for this juſt defence of the parliament and people of England. At laſt, the king repairing to the houſe of lords the 29th of Auguſt. gave the royal aſſent to the act of indemnity, which contained in ſubſtance:

of the commons. Phillips, p. 717.

Conference upon that ſubject. Ibid.

Act of indemnity. Statutes, 12 Car. 2. Phillips.

Penalties againſt thoſe who ſhould uſe any words of reproach tending to revive the memory of the late troubles, with an abſolute pardon to all who had been engaged in them, excepting the following perſons, namely,

Forty nine of thoſe who had been the late king's judges, with this diſtinction that as to the twenty, who had voluntarily ſurrendered themſelves, if they were condemned, their execution ſhould be ſuſpended till the king and parliament ſhould order the ſame.

Oliver Cromwell, Bradſhaw, Pride, and one and twenty others, who were dead, were made ſubject to confiſcations, and other penalties which the king and parliament ſhould ordain.

[f] Only they agreed, that ſir Arthur Haſlerig, ſir Henry Vane, and colonel Lambert, ſhould be ſubject to pains and penalties. Phillips, p. 717.

Phelps

Phelps and ſir Arthur Haſlerig were put in the ſame condition. 1660.

Hutchinſon and Laſſels were declared incapable of exerciſing any office, and condemned to one year's forfeiture of the revenue of their eſtates.

It was moreover ordained, that Oliver St. John, and ſeventeen others named in this article, ſhould be excluded from any benefit by this act, if they accepted, or executed any office in England, either eccleſiaſtical, civil, or military.

All that had given ſentence of death in any of the late illegal high courts of juſtice, except colonel Ingoldſby and colonel Thomlinſon, were diſabled from being members in any parliament, or bearing any office in England or Wales.

Thoſe who had converted to their uſe any goods, belonging to the church, were excluded from the benefit of this act.

Sir Henry Vane and Lambert were excepted from pardon, both as to life and eſtate.

The king likewiſe paſſed on this occaſion the following acts:

Other acts, Statutes.

1. An act for confirmation of judicial proceedings from the 1ſt of May 1642, notwithſtanding their illegality.

2. An act for proviſion of monies to pay off the armies and navy.

3. An act to fix the intereſt of money at ſix per cent.

4. An act for a perpetual anniverſary thankſgiving on the 29th of May, the day of his majeſty's nativity and reſtoration.

The king's ſpeech to the parliament. Phillips, p. 718. Kennet's regiſter.

After the king had given his aſſent to theſe five acts, he made a ſpeech to both houſes, to teſtify how much he was pleaſed with them; concluding, "I am ſo confident of your "affections, that I will not move you in any thing that "immediately relates to myſelf: and yet I muſt tell you, "that I am not richer, that is, I have not ſo much money "in my purſe, as when I came to you. The truth is, I "have lived principally ever ſince, upon what I brought with "me, which was indeed your money: for you ſent it to "me, and I thank you for it. The weekly expence of the "navy eats up all you have given me by the bill of tunnage and poundage; nor have I been able to give my "brothers one ſhilling ſince I came into England, nor to "keep any table in my houſe, but what I eat at myſelf. "And that which troubles me moſt is, to ſee many of you

1660. "come to me at Whitehall, and to think you muſt go "ſome where elſe to ſeek your dinner. I do not mention "this to you as any thing that troubles me: do but take "care of the publick, and for what is neceſſary for the "peace and quiet of the kingdom, and take your own time "for my own particular, which I am ſure you will provide "for, with as much affection and frankneſs, as I can "deſire.

Preſents made by the parliament to the king's brothers. A vote to ſettle on the king 1200,0col. Burnet. p. 160.

The commons obſerving what the king ſaid concerning his brothers, made a preſent to the duke of York of ten thouſand pounds, and of ſeven thouſand to the duke of Glouceſter. After this, they proceeded to the ſettling the king's revenue, and reſolved to raiſe it to twelve hundred thouſand pounds, which was more than any king of England had ever enjoyed, except Henry VIII s. But before this could be compleated, the king came to the parliament the 13th of September, and paſſing ſome bills that were ready, they adjourned themſelves to the 6th of November. The acts paſſed on this occaſion were:

The parliament prorogued. Divers acts Kennet's regiſter, p. 254, &c.

1. An act for the ſpeedy raiſing of a hundred thouſand pounds for a preſent ſupply by way of land tax.

2. An act to impower and direct the commiſſioners in what manner to diſband the army, and to pay off ſome part of the fleet.

3. An act for raiſing one hundred and forty thouſand pounds, at ſeventy thouſand pounds a month, to begin the firſt of November.

4. An act for regulating the bay trade.

5. An act for encouraging and increaſing ſhipping and navigation.

6. An act for reſtoring ſome miniſters to their places and confirming others in vacant places.

Duke of Glouceſter dies. Sandford. Phillips. p. 730.

The ſame day died the duke of Glouceſter, the king's brother. This prince, now twenty years of age, was unexpectedly taken out of the world by the ſmall pox. As he had very good qualities, the king his brother who loved him tenderly, appeared more concerned for this loſs, than for any misfortune which had ever befallen him.

Trial and execution of the regicides. October. State-trials. t. II. Oct. 9—19

During the adjournment, the king appointed commiſſioners for trial of the regicides. The number of thoſe concerned in the late king's death, as judges, officers of the court of juſtice, and others, amounted to fourſcore and

s It was to anſwer all the ordinary expences of the government. Burnet, p. 160.

one

one, of whom twenty five were dead, nineteen had made their eſcapes, ſeven others, for having been leſs engaged in the crime were thought worthy of the king's clemency, and twenty nine were condemned to die. But of theſe, twenty who had ſurrendered themſelves upon the proclamation of the 6th of June, were pardoned as to life, but reſerved for other penalties, as impriſonment, baniſhment, and forfeiture of eſtate. So, ten only were executed, namely, Harriſon, Carew, Cook, Peters, Scot, Clement, Scroop, Jones, Hacker, Axtel. What was moſt remarkable in the death of theſe men was, that not one expreſſed any ſigns of repentance, or did not think himſelf a martyr. Two only were prevailed with to pray for the king. They were almoſt all anabaptiſts, enthuſiaſts, fifth monarchy men, who believed no violence unlawful to advance the kingdom of Chriſt, and all men of mean birth, except Carew and Scroop. 1660. Oct. 16, 17, 19.

A few days after the adjournment of the parliament, the king publiſhed a proclamation concerning religion, containing eight articles, moſt of which preſcribed certain rules to the biſhops in the exerciſe of their ſpiritual juriſdiction. The two laſt deſerve a particular notice, becauſe they diſcover that the preſbyterians were not like to continue long undiſturbed. The VIIth ran, that a certain number of divines ſhould be appointed to reviſe the liturgy, and make ſuch alterations in it as ſhould be judged neceſſary, and that ſcrupulous perſons ſhould not be puniſhed or troubled for not uſing it at preſent. The VIIIth was concerning ceremonies, to which, for the preſent, no perſon ſhould be obliged to conform. This reſtriction, "for the preſent," clearly ſhews, that thoſe who adviſed the king to this proclamation, had no intention to leave the preſbyterians in poſſeſſion of that liberty which had been promiſed them by the Breda declaration, and, doubtleſs, by general Monk, when they engaged to promote the king's reſtoration. A proclamation concerning religion. Octob. 25. Kennet's regiſter, p. 289.

There were yet living, nine of the old biſhops, who were reſtored to their ſees without any difficulty [h]. Seven or eight others were newly conſecrated for other dioceſes, and Coſins, againſt whom ſo many complaints had been brought before the parliament in 1640, for the ſee of The biſhops reſtored.

[h] Namely, Juxton of London, Pierce of Bath and Wells, Skinner of Oxford, Warner of Rocheſter, Roberts of Bangor, Wren of Ely, Duppa of Saliſbury, King of Chicheſter, and Frewin of Litchfield and Coventry.

1660. Durham, where he had once been prebend [i]. Biſhopricks and eccleſiaſtical benefices were offered to the moſt eminent preſbyterian miniſters, but all refuſed except Reynolds, who accepted the biſhoprick of Norwich [k].

Embaſſies from divers parts. Ibid.

I ſhall not enlarge on the embaſſies to the king from divers princes of Europe, to congratulate him upon his reſtoration; the ſtates of the United Provinces were the firſt who paid their compliments on this occaſion, and at the ſame time, ſent him ſeveral excellent pictures, drawn by the beſt hands.

The princeſs Dowager of Orange arrives in England. And the queen-mother. Her buſineſs at the court of England. Id. p. 730. Kennet's regiſter. p. 74. R. Coke. Echard.

September the 25th, the princeſs dowager of Orange came to London to congratulate the king her brother upon his reſtoration. And in November arrived from France the queen-mother, who brought with her the princeſs Henrietta her daughter, and the prince palatine Edward, brother to prince Rupert. It is pretended, the queen endeavoured to perſuade the king to marry Hortenſia Mancini niece to cardinal Mazarin: but her propoſal being coldly received, ſhe adviſed him to purſue the negotiation already begun, of his marriage with the infanta of Portugal. Thus much is certain, ſhe propoſed to the king the marriage of the princeſs Henrietta with the duke of Orleans, to which ſhe found no obſtacle. If ſome authors are to be credited, ſhe had two other ends in her viſit. The firſt was to draw the king her ſon into the intereſt of France againſt Spain. The ſecond, to perſuade him to remove the chancellor, whom ſhe did not love, as he himſelf ſhews in his hiſtory. But the king did not think fit to part with ſo ſerviceable and affectionate a miniſter to pleaſe his mother.

The parliament meets. Phillips. Echard.

The parliament meeting the 6th of November, appointed a committee to congratulate the queen-mother on her return to England. Shortly after, the commons made a preſent of ten thouſand pounds to each of the two princeſſes her daughters.

The duke of York's firſt marriage. Burnet. p. 168. Kennet's regiſter. p. 246. Echard.

The duke of York had, ſince his return to England, married Anne, chancellor Hyde's eldeſt daughter, to which he had been in ſome meaſure compelled [l]. The young

[i] The author by miſtake ſays, dean, he was dean of Peterborough. The reſt of the new biſhops were, Lucy of St. David's, Laney of Peterborough, Stern of Carliſle, Lloyd of Landaff, Walton of Cheſter, Gauden of Exeter, Kennet's regiſter, p. 323.

[k] Calamy, Baxter, Manton, Bates, and Bowles, were offered biſhopricks and deaneries.

[l] They were contracted at Breda, November 24, 1659, and privately married at Worceſter houſe, September 3, 1660, in the night, by Dr. Joſeph Crowther, the duke's chaplain. Kennet's regiſter, p. 246.

lady

lady proving with child, there were not wanting perſons to diſſuade the duke from ſo unequal a match. But the king's affection then for the chancellor, over-ruled all conſideration of the injury which the duke his brother, and the royal family, might receive from it. He ſignified to the duke, that it would oblige him not to uſe any ſhifts, and plainly told him, he muſt drink as he had brewed, to which the duke ſubmitted from a motive of obedience. It may eaſily be imagined the queen-mother, who hated the chancellor, was not pleaſed with this marriage. Accordingly ſhe long refuſed to ſee her daughter-in-law, and it was at the preſſing inſtances of the king that ſhe at laſt conſented to receive her reſpects. But during her ſtay in England, ſhe ever treated her with ſo much coldneſs, that her averſion to the marriage was very viſible. 1660.

Money granted for diſbanding the army.

The parliament having, in their firſt ſeſſion, diſpatched every thing relating to the act of indemnity, applied their next care to put the king in a condition to diſband the army. For this purpoſe, ſeveral ſums were granted him, and as the money was raiſed, regiments were broke, ſo that this work was finiſhed in the ſpace of a few months. Thus, the army, which had ſo long been the terror of England, was reduced to Monk's ſingle regiment. But in diſbanding the army, the king introduced a novelty, which diſpleaſed many people. He formed, for his ordinary guard, two regiments, one of horſe, and one of foot, in imitation of the practice in France, and other kingdoms. This was ſo much like a ſtanding army, which the Engliſh have always oppoſed, that many began then to fear, the king had ill deſigns upon the publick liberty. His predeceſſors had no other guards than the gentlemen penſioners, eſtabliſhed by Henry VII.

The king inſtitutes guards. R. Coke. p. 104.

The vote of the 1200, 000l. to be ſettled on the king confirmed.

The diſbanding of the army being in ſuch forwardneſs, the king told the parliament, it was his intention to diſſolve them in December. Whereupon, the commons, to give his majeſty a freſh inſtance of their zeal, confirmed and renewed their former reſolution, of granting the king an annual revenue of twelve hundred thouſand pounds. But the time being too ſhort to ſettle the funds on which this revenue was to be raiſed, the houſe thought it more proper to employ what remained, in preparing the bills to be paſſed, before the diſſolution.

The author's conjecture upon the diſſolution of this parliament.

Little care has been taken to ſhew the reaſons inducing the king to diſſolve a parliament, which had been ſo favourable to him, and expreſſed ſuch zeal for his intereſt. It

1660. It is my private opinion, that the miniſtry, and particularly the chancellor, looked with no good eye upon a parliament, which had ſo many members of that of 1640, and who, in all appearance, whatever they might pretend, had not relinquiſhed their antient principles, concerning kingly power. They doubtleſs, believed, it would be very difficult to manage and govern ſuch a parliament, at their pleaſure. Beſides, very probably, the chancellor, great enemy of the preſbyterians, had formed the deſign of depriving them of their promiſed liberty, which would have been impoſſible, if this parliament had continued. They believed therefore, that in the preſent favourable diſpoſition of the people to the king, their credit would be ſufficient to have a new parliament, more proper for the execution of their deſigns. The tranſactions of the next parliament confirm this conjecture. It muſt, however, be ſaid for the chancellor, that though he deteſted the maxims of the parliament of 1640, with reſpect to the royal authority, yet he went not the lengths of the other ſide, nor believed it for the intereſt of England, to have a king, whoſe will ſhould be a law. This is manifeſt, from an incident at the very time I am ſpeaking of. A member of the commons, Mr. Alexander Popham, who had a conſiderable influence in the houſe, offered the king, that provided he was ſupported by the court-party, he would undertake to procure an act, for ſettling on him and his ſucceſſors two millions a year, which would free him from any dependence on his parliament, except in extraordinary caſes. The king was pleaſed with the propoſal, and ſpoke to the chancellor of of it, as of a project advantageous for his intereſt. But he bravely anſwered, "that the beſt revenue his majeſty could have, "was the affection of his ſubjects, and if he would truſt "to them, he would never want ſupplies in time of need." Nor did he reſt ſatisfied with this anſwer to the king, but even took pains to undeceive the lord treaſurer the earl of Southampton, who had approved of the project, and by very ſolid reaſons, convinced him, that the ſucceſs of it would be the ruin of the kingdom. It is pretended, the chancellor's oppoſition to Popham's propoſal, was one of the chief cauſes of his diſgrace.

Welwood, p. 109. Echard.

The bodies of Cromwell, and other rebels dug up. Phillips.

The parliament, before their diſſolution, ordered the bodies of Oliver Cromwell, Ireton, Bradſhaw, and Pride, to be taken out of their graves, drawn on a hurdle to Tyburn, and there hung from ten a clock till ſun ſet, and then buried

ried under the gallows. At the ſame time an act of attainder, paſſed, not only againſt theſe four, but againſt the nineteen judges of the late king, who were fled from juſtice, among whom was Ludlow, author of the Memoirs under his name. 1660.

About the ſame time, William Drake, citizen and merchant of London, publiſhed a book, entitled; "the long "parliament revived," in which he endeavoured to prove, that the long parliament was not yet legally diſſolved. The commons brought an impeachment of high treaſon againſt the author, but had not time to bring it to a trial. A treaſonable libel publiſhed. Kennet's regiſter. p. 312, 325.

At this time likewiſe ſeveral officers, who had ſerved under Cromwell, Deſborough, Morgan, Overton, and ſeveral others, were arreſted upon an uncertain rumour of a plot to ſecure the king's perſon, ſeize the Tower, and kill the queen-mother, but it did not appear that this rumour had any good foundation. A pretended plot. Id. p. 315.

At laſt, on the 29th of December, the king came to the parliament, and gave the royal aſſent to the following acts: Acts. Id. p. 334. &c.

1. An act for levying the arrears of the twelve months aſſeſſment.

2. An act for the farther ſupplying ſeveral defects in the act for diſbanding the army.

3. An act for ſix months aſſeſſment, at ſeventy thouſand pounds per month, to begin the 1ſt of January.

4. An act for the better ordering the ſelling of wines by retail, and for preventing abuſes in the mingling, corrupting, and limiting the prices of the ſame.

5. An act for erecting a poſt-office.

6. An act for an impoſt upon ale, beer, cyder, and other liquors, to hold for his majeſty's life.

7. An act for the raiſing of ſeventy thouſand pounds for his majeſty's farther ſupply.

8. An act for the attainder of ſeveral perſons guilty of the horrid murder of Charles I.

9. An act for confirmation of leaſes and grants for colleges and hoſpitals.

10. An act to prohibit the exportation of wool, and fuller's-earth.

11. An act for prohibiting the planting of tobacco in England and Ireland.

12. An act for taking away the court of wards, and liveries, together with tenure in capite, knights ſervice, and purveyances,

1660. purveyances, and for ſettling a revenue upon his majeſty in lieu thereof [m].

After giving the royal aſſent to theſe acts, the king made the following ſpeech to both houſes.

My lords and gentlemen,

Id. p. 339. Echard. "I Will not entertain you with a long diſcourſe, the ſum "of all I have to ſay to you, being to give you thanks, "very hearty thanks: and I aſſure you, I find it a very dif- "ficult work to ſatisfy my ſelf in my own expreſſions of "thoſe thanks. Perfunctory thanks, ordinary thanks for "ordinary civilities, are eaſily given; but when the heart "is full as mine, it is a labour to thank you. You have "taken great pains to oblige me; and therefore it cannot "be eaſy for me to expreſs the ſenſe I have of it. I will "enlarge no further to you upon this occaſion, than to "tell you, when God brought me hither, I brought with "me an extraordinary affection and eſteem for parliaments. "I need not tell you how much it is improved by your "carriage towards me. You have out-done all the good "and obliging acts of your predeceſſors towards the crown; "and therefore you cannot but believe, my heart is exceed- "ingly enlarged with the acknowledgment. Many former "parliaments have had particular denominations for what "they have done: they have been ſtiled learned and un- "learned, and ſometimes have had worſe epithets: I "pray let us reſolve, that this be for ever called the Heal- "ing, and the Bleſſed Parliament. As I thank you, "though not enough, for what you have done, ſo I have "not the leaſt doubt, by the bleſſing of God, but when I ſhall "call the next parliament, (which I ſhall do as ſoon as you "can reaſonably expect or deſire) I ſhall receive your "hearty thanks for what I have done, ſince I parted with "you. For I deal truly with you: I ſhall not more propoſe "any one rule to my ſelf in my actions and counſels than "this: what is a parliament like to think of this action, "or this counſel? And it ſhall be a want of underſtanding in "me if it will not bear that teſt. I ſhall conclude with this, "which I cannot ſay too often, nor you too often where you "go: that, next to the miraculous bleſſing of God Almighty, "and indeed as an immediate effect of that bleſſing, I do "impute the good diſpoſition and ſecurity we are all in, to

[m] The royal aſſent was given to the 6th and 12, December 24. See Kennet's regiſter, p. 331.

"the

" the happy act of indemnity and oblivion: that is the prin- 1660.
" cipal corner-ſtone which ſupports this excellent building,
" that creates kindneſs in us to each other, and confidence
" is our joint and common ſecurity. You may be ſure, I
" will not only obſerve it religiouſly and inviolably my ſelf,
" but alſo exact the obſervance of it from others: and if
" ever any perſon ſhall have the boldneſs to attempt to per-
" ſuade me to the contrary, he will find ſuch an accepta-
" tion from me, as he would have, who ſhould perſuade
" me to burn magna charta, cancel all the old laws, and
" to erect a new government after my own invention and
" appetite."

This flattering ſpeech was received by the people with great applauſe, every one hoping, that a prince of this character would have no other view, than the cauſing his ſubjects to live in peace and plenty. After the king had done ſpeaking, the chancellor made a ſpeech to both houſes, much longer than the king's, but tending to the ſame end, namely, to perſuade them, that the king being extremely tender of his people, all his actions would be directed to render them happy. He forgot not to mention the pretended conſpiracy, for the ſubverſion of the preſent government. But without entering into any particulars, he contented himſelf with aſſuring, that the conſpiracy was real, and Ludlow, one of the fugitive regicides, deeply concerned in it. This inſinuation was neceſſary for two purpoſes. The firſt was to convince the people of the neceſſity of putting the militia into the king's hands, to enable him to ſuppreſs the malecontents. The ſecond, to get a pretence for the breach of the king's promiſe, in his Breda declaration, by the indiſpenſable neceſſity of providing for the ſafety of the ſtate, againſt the ill deſigns of the ſectaries. This will appear more clearly hereafter. When the chancellor had ended his ſpeech, he declared the parliament diſſolved.

The chancellor's ſpeech. Kennet's regiſter. P. 339.

The parliament diſſolved.

Thus ended this parliament, about eight months after the firſt meeting, and ſeven after the king's reſtoration. I have already obſerved, that moſt of the members were preſbyterians, or at leaſt, that party was ſuperior in the parliament. For this reaſon, no doubt, ſome writers magnifying what this parliament did for the king, and their diſpoſition in his favour, have inſinuated, it was a ſort of miracle, that they did not throw up at once all the liberties of the nation, upon the king's reſtoration. But this is a groundleſs exaggeration. For if all the acts of this parliament be conſidered, not one will appear to ſupport this opinion.

A remark upon this parliament. Welwood. p. 109.

They

1660. They recalled the king, but certainly that will not be thought ſtrange. They voted a revenue of twelve hundred thouſand pounds for the king, but it was only a vote which was executed by the next parliament. They paſſed the act of indemnity at the king's preſſing inſtance, and which was indeed neceſſary. They granted the king a ſupply, to pay off the fleet and the army. But could this be avoided without endangering the publick tranquillity? They preſented the king with, after all, an inconſiderable ſum, for his occaſions, and his brothers and ſiſters, with thirty ſeven thouſand pounds. But was any thing more juſt or more natural than to enable him to maintain his houſhold, till his revenues were ſettled? There is nothing therefore in the actions of this parliament which infers a diſpoſition, to throw up the liberties of the nation. But it will be ſeen, that this diſpoſition, which is groundleſly ſuppoſed in this parliament, was really and truly in the next: and that after doing too much, they were forced to alter their meaſures, and uſe extraordinary means to oppoſe the deſigns of that very king, to whom they had given an almoſt unlimited power. This ſecond parliament however has not been cenſured, whilſt the compliance of the firſt has been induſtriouſly aggravated. The reaſon of this difference is very obvious, namely, that the ſecond parliament beſt follows the views and principles of the writers, who have thus remarked on the former. In ſhort, if it be conſidered, that the firſt parliament ſat only ſeven months after the king's reſtoration, and that the ſecond continued eighteen years, it will be eaſily perceived, to which of the two may moſt juſtly be aſcribed the deſign of throwing up the liberties of the nation.

Death of the princeſs of Orange. Sandford.

The concluſion of this year brought the king a new cauſe of affliction in the death of the princeſs of Orange his ſiſter, who died of the ſmall pox the 24th of December, at the age of twenty nine years [n]. She left but one ſon, who was afterwards king of England by the name of William III.

Other deaths.

This ſame year died William Seymour earl of Hertford, lately reſtored to the title of duke of Somerſet. He has been often mentioned in the reign of Charles I. Doctor Hammond the famous divine, died a little before the king's reſtoration.

The royal ſociety founded. Sprat. Kennet.

It was alſo this year that the royal ſociety was erected by the king's letters patents, who beſides granted it all the ne-

[n] She was buried December 29, in Henry VIIth's Chapel, Heath, p. 470.

ceſſary

ceſſary encouragement towards a diſcovery of the ſecrets of nature, and of what is moſt curious and neceſſary in natural philoſophy and mechanicks. 1660.

Before we cloſe this year, it will not be improper briefly to mention the tranſactions of Scotland, from the time of the king's reſtoration.

Affairs of Scotland. Burnet. Echard.

After the king left Scotland, with an army to invade England, the Engliſh entirely conquered that kingdom under the conduct of general Monk, who ſerved the parliament. If the king, after that, thought of Scotland, it was only to cheriſh the diſcontents, and try, by means of his adherents, to excite a revolt. For though he had been recognized and crowned in Scotland, he always conſidered his intereſts as directly oppoſite to thoſe of that kingdom, or at leaſt, of the governing party. He never loved the Scots, and his belief of their ſelling the king his father to the Engliſh parliament, great inflamed his prejudice againſt them, nor was it diminiſhed by his reſidence in that country. His reſtoration to the Engliſh throne rendered him doubly maſter of Scotland; firſt, becauſe he was her natural king, and had even been crowned there; ſecondly, becauſe Scotland had been conquered by the Engliſh. Nothing would have been eaſier than to leave Scotland in dependence upon England, there being no likelihood, that the Scots would ever be able to recover their liberty. It even ſeems, the king was not averſe to this thought, ſince he left Scotland to be governed by the Engliſh, more than two months after his reſtoration. But at laſt he reſolved to reſtore that kingdom to its ancient form of government. For this purpoſe, Monk writ in the king's name to the Engliſh commiſſioners who had been employed as judges there, to diſcontinue their functions the 22d of Auguſt; and at the ſame time proclamation was made, for the convening of the committee of eſtates, till a parliament ſhould be called. The king named the great officers of the kingdom, and took care to chooſe for theſe poſts and for his council, ſuch as were believed moſt firmly devoted to him. The earl of Glencairn was made lord chancellor, the earl of Crawford, lord treaſurer, the earl of Caſſilis, juſtice general, the earl of Lautherdale, firſt ſecretary of ſtate, and general Midletoun, the king's commiſſioner. Theſe men, as well as thoſe who formed the council, had been always firmly attached to the king's intereſt. Thus the Scots, freed from the yoke laid on them by Cromwell, were exactly in their former ſtate, as before the troubles in 1637, that is, under the government of a king and

Ibid.

Burnet, p. 110.

1660. and miniſters of the very ſame principles with Charles I. and the miniſters of that time. But there was this diſadvantageous difference, that they were no longer able to make themſelves feared, being entirely ſubdued. They had ſoon occaſion to know what they were to expect. Some of their miniſters aſſembling for the drawing up a remonſtrance concerning their grievances, were ſent to priſon by the committee of eſtates, without any examination of the nature, motive, or language, of the remonſtrance, as if the bare deſign of preſenting it had been criminal. Moreover, a proclamation was publiſhed againſt all unlawful aſſemblies and ſeditious writings, on ſuppoſition, that the aſſembly of the miniſters and their petition were of that nature. This might have ſatisfied the preſbyterians, who were the body of the Scottiſh nation, what was preparing for them, and that they had no remedy but ſubmiſſion and patience.

Id. p. 105. Heath. They had ſtill another very convincing proof. The marquis of Argyle repairing to London to pay his duty to the king [o], was arreſted, ſent to the Tower, and afterwards to Scotland, to be tried on an impeachment of high treaſon [p]. The king in his declaration from Breda, had not mentioned Scotland. So, the Scots were expoſed to the reſentment and vengeance of their enemies. Amongſt theſe, chancellor Hyde was one of the moſt violent, as he has plainly diſcovered in his hiſtory of the civil wars, and, unhappily for the Scots, he was prime miniſter in England, and had the principal direction of the king's affairs. Some indeed of the Engliſh council were of opinion, it would be very advantageous to the king, to ſuffer the Scots to enjoy the benefit of the Breda declaration. But the contrary advice prevailed, whether from the king's animoſity, and that of his counſellors, or from the hopes of ſuch as had faithfully ſerved the king in his troubles, of having the eſtates of the condemned.

Burnet, p. 113. This reſolution being taken, the king ſummoned a parliament in Scotland, to meet the 12th of December, and publiſhed a proclamation, declaring, that he left it entirely to the parliament, to examine the conduct of his ſubjects of Scotland; and that after his honour was vindicated, and his

[o] He writ by his ſon to the king, aſking leave to come and wait on him. The king gave an anſwer that ſeemed to encourage it, but did not bind him to any thing. Burnet, p. 106.

[p] Biſhop Burnet ſays, it was done at the inſtigation of the earl of Middletoun and his party, "for the "marquis of Argyle's craft made "them afraid of him; and his eſtate "made them deſire to divide it among "them," p. 106.

prerogative

prerogative eſtabliſhed, he would grant a pardon which would witneſs how much he deſired the happineſs of his people. It will appear what method he took to procure this happineſs to the Scots. 1660.

Affairs of Ireland. Cox.

As for Ireland, the king committed the government of it to ſir Maurice Euſtace chancellor, and the earls of Orrery, and Montrath, in quality of lords juſtices, till a lord lieutenant ſhould be appointed.

1660-1.

The year 1661 was uſhered in by an extraordinary event. This was an inſurrection of ſome fifth monarchy men, who believed themſelves bound in conſcience to uſe their utmoſt endeavours to advance the kingdom of Chriſt on earth. As I have elſewhere ſpoken of theſe men, and as their principles are ſufficiently known by the tragedies acted by them at Munſter, and other places of Germany, it will be needleſs to give a more particular account of their tenets [q]. The 6th of January, while the king was attending the queen-mother, and the princeſs his ſiſter to Dover, in their return to France, about fifty of theſe men, under the conduct of one Thomas Venner, aſſembled in the evening in St. Paul's church-yard, and killed a man who upon demand, had anſwered, "for God and the king." This giving an alarm to the city, ſome trained bands were ſent againſt them, whom theſe men quickly routed, and then marched through ſeveral ſtreets, and at laſt retired to Cane Wood [r], from whence a party of horſe and foot, ſent by general Monk, diſlodged them, and took ſome priſoners. But this did not prevent the reſt from returning to the city, where they fought furiouſly, till they were obliged to take ſanctuary in a houſe. They there defended themſelves like men fearleſs of death, or rather, as ſecure from all danger, under the protection of Jeſus Chriſt. Here it was that Venner, being wounded, and twenty of his men killed, with as many of the aſſailants, was taken with the reſt of his fellows. A few days after they were all tried, condemned, and executed, without any confeſſion of guilt, and perſiſting in their extravagances to the laſt. Two young men only ſhewed ſome ſigns of repentance.

Inſurrections of the anabaptiſts under Venner. Phillips, p. 734. Heath. Burnet, p. 160.

January 17. Kennet's regiſter, p. 361.

Though this attempt could not juſtly be conſidered as the conſequence of a deſign formed by a whole party, and though the anabaptiſts had been all guilty, there was no reaſon to

The court takes occaſion from this inſurrection to forbid conventicles. January 10.

[q] They thought it not enough to believe that Chriſt was to reign on earth, and to put the ſaints in poſſeſſion of the kingdom, but that the ſaints were to take the kingdom themſelves. Some of them ſeemed perſuaded, that Chriſt would come down and head them. Burnet, p. 160, 161.

[r] Betwixt Highgate and Hampſtead. Id. p. 357.

blame

1660-1. blame the other ſects, yet the court urged this inſurrection to confirm the rumours of a conſpiracy againſt the government. The king took occaſion to publiſh a proclamation, forbidding all meetings and conventicles, under pretence of religion, and commanding the oaths of allegiance and ſupremacy to be tendered to all perſons diſaffected to the government, and in caſe of refuſal, they were to be proſecuted on the ſtatute of the 7th of James I.

A remark upon this ſubject.

It will, doubtleſs, be thought ſtrange, that by reaſon of the extravagance of ſome anabaptiſts, all the other ſects ſhould be included in the prohibition of all meetings on account of religion, contrary to the expreſs terms of the declaration from Breda. But it will be immediately ſeen, that the ruin of the preſbyterian party was now reſolved, and that pretences were ſeeking to execute this reſolution, particularly, pretences which might create a belief, that what was done, was only for the ſecurity of the king's perſon and government. The end propoſed was to inſinuate, that religion was no way concerned, but only the ſtate, and thereby obviate the objection which would naturally be drawn from the Breda declaration, wherein the king ſolemnly promiſed, that no perſon ſhould be moleſted for his religion. To ſucceed the better in this deſign, an admirable expedient was deviſed. This was to range under the ſame denomination, all the ſects differing from the church of England, in order to impute to the whole body conſiſting of all theſe ſects, what could have been imputed but to one, had they been diſtinguiſhed. This denomination was, that of diſſenters, or nonconformiſts, under which were comprehended, as well the preſbyterians, as the papiſts, anabaptiſts, and other ſects. Thus, by this affected confuſion, all the nonconformiſts were charged with the faults of one of the ſects compriſed under that name, and, as if they had made but one body, puniſhed without diſtinction, on pretence of keeping them in awe, and preventing them from diſturbing the ſtate. The catholicks, the independents, the anabaptiſts, were nonconformiſts. Precautions therefore were to be taken againſt the nonconformiſts, and conſequently againſt the preſbyterians, becauſe their enemies were pleaſed to comprehend them under the ſame general appellation. Undeniable proofs of what I advance, will hereafter appear. The truth is, the preſbyterians only were properly aimed at, whoſe ruin was reſolved, notwithſtanding the declaration from Breda. For indeed, it is not likely, that a king, who had privately embraced the Romiſh religion, would turn proſecutor of the catholicks.

The name of nonconformiſts applied indifferently to all ſectaries.

catholicks. And the independents and anabaptiſts made then ſo inconſiderable a figure, that the king's miniſters had but little reaſon to fear them. But though there had been cauſe to ſuſpect them, why were they not diſtinguiſhed from the preſbyterians, who had given no room for ſuch ſuſpicions? All this was only to ſave, in ſome meaſure, the king's honour, at a time when his promiſes, contained in his declaration from Breda, were openly evaded. This name of nonconformiſts, is therefore to be conſidered as a very ambiguous term, which indeed ſignifies men who conform not to the church of England, but not in the ſenſe which was given it, namely, of a body of men inſeparably united, compoſed of all the diſſenters, and acting with the ſame views, and for the ſame intereſt."[s] 1660-1.

Conference at the Savoy between the biſhops and preſbyterian miniſters. Account of that conference. London 1661. Collier. Baxter.

Some of the preſbyterian miniſters obſerving, they were induſtriouſly confounded with ſects, with whom they had no relation, petitioned the king for a conference between them and the biſhops, in order to examine wherein conſiſted their differences, and the objections of the preſbyterians to the book of common prayer. The king granted their requeſt, and immediately named twelve biſhops, as principals, and nine other clergymen as aſſiſtants; and on the preſbyterian ſide, twelve miniſters as principals, and nine others as aſſiſtants, to confer together at the biſhop of London's houſe, who then lodged in the Savoy[s]. The commiſſion ran: "That the commiſſioners appointed ſhould act for four "months, from the 25th of March, and particularly were "ordered to adviſe upon and review the book of common "prayer;——to take into their ſerious and grave conſide- "rations, the ſeveral directions and rules, forms of prayer, "and things in the ſaid book of common prayer contained; "and to adviſe and conſult upon and about the ſame, and "the ſeveral objections and exceptions which ſhall now be "raiſed againſt the ſame; and (if occaſion be) to make "ſuch reaſonable and neceſſary alterations, corrections, and "amendments, as ſhall be agreed upon to be needful and "expedient, for giving ſatisfaction to tender conſciences, "and the reſtoring and continuance of peace and unity in "the churches under his majeſty's government and pro- "tection——And to certify to his majeſty in writing, under "their ſeveral hands, the matters and things whereupon "they ſhall ſo determine, to be by his majeſty appro-

s Rapin, by miſtake, has put the number of the principals of each ſide for that of the aſſiſtants, and the contrary.

1660-1. "ved, &c." Thus the king gave to theſe twenty one miniſters, a power, they had not deſired, to decide, as well for themſelves as their brethren, who were more than two thouſand, and for the whole body of the preſbyterians, what was neceſſary to be altered in the liturgy, without empowering them to meet beforehand to ſettle their demands, in order to an union with the church of England.

1661. From the firſt day of the conference, it was eaſy to foreſee it would be fruitleſs. For though the miniſters had already acquainted the king and the chancellor that they could decide nothing, ſince they were not authoriſed by their brethren, Sheldon, biſhop of London, immediately told them, that as themſelves had requeſted this conference, they were to produce at once all their exceptions to the liturgy in writing, together with the additional forms and alterations which they deſired. The miniſters anſwered, as they had before done to the king and chancellor, That they could decide nothing, without having firſt conſulted their abſent brethren, and received from them a commiſſion in form. This tended to a requeſt, that they might be permitted to meet in ſynod, and debate together on theſe matters: but this was never intended to be granted. They were therefore urged, only to declare their own ſenſe, when it was ſeen, that they could not be brought to act as deputies of a body, by which indeed they were not commiſſioned. To this it was anſwered, That they were willing to give in writing their particular ſentiments, provided, at the ſame time, the biſhops would bring in their utmoſt conceſſions, that when both were compared, a judgment might be made of the ſucceſs. But the biſhops abſolutely rejected this propoſal. At laſt, the miniſters conſented to produce at once all their exceptions, reſerving to themſelves, however, a power to make additions according to the anſwers they ſhould receive, and their offer was accepted. Whereupon, the exceptions were drawn up, and an anſwer given in by the biſhops, who accepted a reply, and at length ſome ſlight alterations in the liturgy were agreed on. But, beſides that the miniſters conſidered theſe alterations as inſufficient, there was an invincible obſtacle to an agreement, which was, that the miniſters not being commiſſioned, whatever they ſaid, could be eſteemed but as their private opinion.

I ſhall enter no farther into this conference, becauſe, to underſtand it, requires a competent knowledge of the Engliſh liturgy, and the manner in which divine ſervice is celebrated, which cannot be ſuppoſed with regard to the generality

lity of foreigners, for whom this hiſtory is deſigned [t]. I ſhall content myſelf therefore with ſome general remarks, to aſſiſt the reader to underſtand wherein conſiſted the differences betwixt the church of England and the preſbyterians, and the conduct of both ſides. 1661.

Obſervations upon the differences between the churchmen and preſbyterians.

During the whole reign of king James, and the fifteen firſt years of Charles I. the preſbyterians were oppreſſed, or, at leaſt, may be ſaid, not to be treated by the church of England as chriſtian charity ſeemed to require. From the beginning of the parliament of the 3d of November 1640, the church of England was perſecuted in her turn, and epiſcopacy itſelf at laſt entirely aboliſhed. When the independents were become maſters of the parliament and army, the epiſcopalians ſtill continued under oppreſſion, and though the preſbyterian church government was outwardly preſerved, there was nevertheleſs an entire liberty for all proteſtant ſects, which the preſbyterians conſidered as a violent perſecution. This ſtate continued till the beginning of the year 1660, when Monk forming the deſign of reſtoring the king, believed it could not be effected without a reſtitution of that very preſbyterian parliament which had aboliſhed epiſcopacy. This expedient was crowned with ſucceſs; and by the united endeavours of the preſbyterians and epiſcopalians, the king was at laſt replaced on the throne. The reſtoration of the king produced that of the church of England, which was at once in almoſt the ſame ſtate ſhe had been before the year 1640. There was, however, this difference, that, during the troubles, the number of the preſbyterians was exceedingly increaſed, and thereby they were grown much more formidable than under the reign of king James, and the firſt fifteen years of Charles I. It was therefore the intereſt of the church of England, either to ruin entirely the preſbyterian party, which could ſtill raiſe freſh troubles in church and ſtate, or oblige them to unite with the national church by ſome ſmall conceſſions. And for this laſt purpoſe, the conference now mentioned ſeemed to be intended.

But, ſuch conferences upon religion are ſeldom attended with a happy ſucceſs; firſt, becauſe the two parties muſt be equally animated with the ſpirit of peace and charity, which is rarely found amongſt men; and, if I may venture to ſay it, ſtill more rarely amongſt churchmen. Secondly, becauſe

[t] See the account of this conference, London 1661. See alſo the diſſertation at the end of the reign of king William, in the continuation of Rapin.

1661. in theſe conferences, one of the parties is uſually ſuperior, and in poſſeſſion of power, and therefore not very ready to quit that advantage, to be reduced to an equality. So, no ſucceſs can be expected, unleſs one of the parties will yield every thing to the other. This recalls to my mind a ſaying of a French catholick, a man of wit, to a miniſter after the concluſion of the religious war in France: "If, ſaid he, "you had come to a compoſition with us while the ſword "was in your hand, we might have made you ſome conceſ- "ſions; but now that you are conquered, we would not "yield you ſo much as the chriſtening of bells." The caſe was much the ſame in England, at the time I am ſpeaking of. We have ſeen the conceſſions of Charles I. in the treaty of Newport, with regard to epiſcopacy, which, if it was not entirely given up by him, was however reduced to a very ſmall matter. But after the reſtoration of Charles II. the uſe of the ſurplice was of too great conſequence to religion, to be relinquiſhed. Thirdly, the animoſity between the two parties, generally hinders the conferences from ſucceeding. The one cannot bear to receive law from the other, nor think of revoking what has been once advanced. Fourthly, inſtead of thinking ſeriouſly on peace, both parties ſeek only to ſurpriſe one another. Laſtly, it too often happens, that theſe conferences are granted by the prevailing, to the oppreſſed, party, only to have it ſaid, that peace was offered but rejected by the contrary party. There is room to believe, that in this conference all theſe circumſtances met, and therefore it is no wonder, it ſucceeded like the reſt of the ſame nature; for, in ſhort, it broke off without any effect, and, as too commonly happens, each party threw the blame upon the other. Mr. Baxter, in his relation of it, ſays, that the biſhops were abſolutely againſt all conceſſions. But in another relation it is ſaid, the preſbyterians were ſo obſtinately attached to their opinions, that they would not recede from a ſingle point, and that at laſt, upon the biſhop of Durham's propoſal, being required to declare in writing what they thought ſinful in the liturgy, they put into the liſt all the articles which kept them from joining with the church of England, without one exception. They thereby ſhowed, that they conſidered as ſinful, all the forms and practices of the church of England, even to the uſe of the ſurplice, and by conſequence their refuſal of an accommodation, unleſs their opinions were entirely conformed to. Theſe are the mutual accuſations of the two parties, on which I am far from deciding any thing as to the truth of the facts. All I

can

can ſay, without wronging either party, is, that the preſ- 1661.
byterians ought to have receded from ſeveral points, which are manifeſtly indifferent; and that the biſhops ſhould not have ſcrupled to give up the ſame points. But people were then very far from being inclined to charity and condeſcenſion.

The king crowned. Phillips. Kennet's regiſter.

During this conference at the Savoy, the king was magnificently crowned on St. George's day, the 23d of April [u].

A new parliament, and how compoſed.

The parliament, which had been ſummoned for the 8th of May, met on the day appointed. The repreſentatives, for the moſt part, were elected agreeably to the wiſhes, and without doubt by the influence of the court. The greateſt part were high churchmen, that is, violent enemies of the preſbyterians, great aſſertors of the minuteſt ceremonies of the church, and moſt devoted to the king and the royal prerogative. They literally followed the principles of Laud archbiſhop of canterbury, which had cauſed the troubles in the late reign. In a word, this parliament may be ſaid to be compoſed by chancellor Hyde, prime miniſter, and on the 20th of April created earl of Clarendon. Let it alſo be added, that this parliament was called the penſionary parliament, becauſe it was afterwards diſcovered, that many of the members received penſions from the court. It is true, many will not allow that this was ſo at firſt, but pretend, that by length of time, and changes upon death, the new members ſuffered themſelves to be bribed. I cannot however help remarking, that, at the very beginning, this parliament did things in favour of the king, which no other had ever done, and that it was not till afterwards that they retracted their extravagant maxims, concerning the royal prerogative. This ſhows, the parliament was bribed betimes, notwithſtanding the inſinuations of ſome to the contrary. However it be, it may be judged how favourable this parliament was to the king, ſince it continued almoſt eighteen years, on which account it was more juſtly called the long parliament, than that of 1640.

[u] For the greater ſplendor of this ſolemnity, the following titles of honour were conferred, ſir Arthur Annesley, was made earl of Anglesey; ſir John Greenvil, earl of Bath; Frederick Cornwallis, lord Cornwallis; ſir George Booth, lord de la Mere; ſir Horatio Townſhend, lord Townſhend; ſir Anthony Aſhley Cooper, lord Aſhley of Wimborne; John Crew, baron Crew; ſir Charles Howard, earl of Carliſle; Denzil Holles, lord Holles; Edward Hyde, earl of Clarendon; Arthur lord Capel, earl of Eſſex; Thomas lord Brudenell, earl of Cardigan. See Dugdale's Baron. tom. II.

1661. As religion, whether popery, or presbyterianism, and the royal prerogative, are concerned in almost all the transactions of this reign, it is absolutely necessary to acquaint the reader with some things concerning the historians. Otherwise, they will be extremely embarassed, when they read in some histories things quite contrary to what they read in others. My design is, therefore, by a few remarks upon this subject; first, to prevent their being insensibly, and for want of examination, biassed by the opinions or prejudices of the historians. Secondly, to incline; and thirdly, to assist them, in some measure, to make this examination.

Remark upon the historians of Charles II.

There are three sorts of authors, who have writ the history of this reign. The first are those, who profess to be high church with regard to religion; and with respect to the government, ascribe to the king an almost unlimited power, provided the king be of their party. These are, in a word, what are called the high fliers, or rigid tories. They are good protestants, but however, much less enemies of the papists than of the presbyterians. For hardly will they allow the latter to be christians, because they have no bishops. Now, according to their principles, no valid ordination can be had without bishops, and consequently no valid administration of the sacraments; whence it follows, that presbyterians baptized by ministers unordained by bishops, are not truly baptized.

There is another set of writers of this reign, who, being protestants, embrace not the extravagant principles of the former, either concerning the church or the government. These are of the number of those who are called whigs, among whom there is a mixture of churchmen and presbyterians.

Lastly, there are popish historians, whose tenets and principles are sufficiently known.

Each of these authors has writ the history of this reign according to his principles; for this reason what is praised and approved by one historian, is blamed and censured by another. For instance, as to this second parliament, some openly insinuate, that the first years transactions, whether for extending the royal power, or oppressing the presbyterians, were agreeable to reason, justice, and the good of the kingdom: but what was done, after the breach with the king, was only the effect of corruption and cabal. Others on the contrary maintain, that this parliament's zeal, whether for the king or against the presbyterians, was an extravagant

travagant zeal which threw them upon meaſures very detrimental to the nation, and unavoidably engaged them to favour the ill deſigns of the court; but perceiving at laſt the ill uſe the court made of this diſpoſition, they eſpouſed the true intereſts of the kingdom, in oppoſing the king's deſigns. 1661.

The popiſh hiſtorians are of the ſame principles with the high flying tories concerning the government. But, whereas king Charles's deſign of introducing popery into England is very unwillingly owned by the tories, the papiſts, on the contrary, make it a glorious deſign, as being very juſt and religious.

A man muſt therefore prepare himſelf to meet theſe contrarieties, if he reads ſeveral hiſtories of this reign, and to chuſe that ſcheme which appears moſt coherent and beſt ſupported. For this purpoſe it will be proper to adhere only to plain facts, without regarding the frequent inſinuations of the hiſtorians, moſt of whom ſuppoſe without ceremony their own ſcheme, even in the facts they relate. I own this is difficult: but I ſuppoſe the reader's ſearch is after truth, which he will never attain, if he implicitly follows, without examination, the firſt hiſtorian which comes in his way. Wherefore, I thought it proper to inform him before hand of what he is to expect, and withal to leave him at liberty to examine my ſcheme as well as that of others. But to return to the parliament.

The king going thither the 8th of May, made a ſpeech to both houſes, in which, after ſome expreſſions of his great affection for his people, he recommended two bills, which he had prepared to confirm the act of indemnity. He repeated the ſame words he had ſaid to the laſt parliament. Adding, that they might be as ſevere as they pleaſed againſt new offenders, but he ſhould not think him a wiſe man or his friend, who ſhould perſuade him to infringe the act of oblivion, or to conſent to a breach of a promiſe ſo ſolemnly made when he was abroad. Laſtly, he communicated to them his intended marriage with the infanta of Portugal, which had been reſolved with the approbation of his whole council. The king's ſpeech to the parliament. Kennet's regiſter, P. 434. He acquaints them with his marriage.

The earl of Clarendon, lord chancellor, afterwards inlarged on the particulars mentioned by the king in his ſpeech, but chiefly upon two points untouched by the king. The firſt related to the ſeditious ſermons of certain preachers, which tended to renew the old troubles, and whoſe licentiouſneſs it was neceſſary to curb. The ſecond point on which The chancellor's ſpeech. Id. p. 435, &c.

1661. he inſiſted, was the late inſurrection, which he aggravated in the ſtrongeſt expreſſions, intimating, that by intercepted letters it might be concluded, that the combination reached very far, and if the vigilance of the lord mayor had not prevented it, the city had been in danger of being burnt to aſhes. He did not name the authors of the ſeditious ſermons, becauſe his deſign was not to accuſe this or that perſon, or any particular ſect, but only to obtain a general order againſt the preachers who were not of the church of England. As to the pretended conſpiracy diſcovered, as he aſſured, by a multitude of intercepted letters, it does not appear that any one was proſecuted in conſequence of theſe letters, or that others beſides Venner and his companions, were proved to be concerned in it. It is therefore manifeſt, this ſpeech tended only to incenſe the parliament againſt the ſectaries or nonconformiſts in general, under colour of providing for the ſafety of the king and the ſtate, in a ſuppoſition, that it was only from them any danger could be feared. This will appear hereafter to be more than a mere conjecture.

Remark on it

Kennet's regiſter, p. 442.

Sir Edward Turner, the duke of York's attorney general, being choſen ſpeaker of the houſe of commons, at the recommendation of the court, both houſes unanimouſly voted their thanks to the king for the gracious communication of his reſolution to marry, and went in a body to congratulate him. Then the houſe of commons ordered all their members to receive the ſacrament according to the preſcribed liturgy within a certain time, upon pain of being expelled the houſe.

The commons ordered to receive the ſacrament in the church of England. Id. p. 446.

The 20th of May the two houſes jointly ordered, that the writing called the ſolemn league and covenant ſhould be burnt by the common hangman; which was performed with great triumph. Three days after, the following acts were alſo ordered to be burnt. The act for erecting a high court of juſtice for trying and judging Charles Steuart, &c. The act for ſubſcribing the engagement againſt a king and houſe of peers: the act for declaring the people of England to be a commonwealth, &c. The act for renouncing the title of Charles Steuart, and another for the ſecurity of the protector's perſon.

Several acts burnt by the common hangman. Id. p. 450. Phillips. May 29.

The zeal of the two houſes breeding a fear in the republicans, that the act of indemnity paſſed in the late parliament, would not be ſufficient for their ſecurity, if it was not confirmed by the preſent, they addreſſed the king for this confirmation. Upon their petition, the king writ to both houſes the 2d of June, earneſtly recommending to them to

Kennet, p. 478.

paſs

paſs the bill he had prepared for them. He even told them plainly, however neceſſary the bills might be, that were ready for the royal aſſent, he had no mind to paſs them till the act of indemnity was likewiſe preſented to him. This letter having produced the deſired effect, the king came to the parliament the 8th of July, and paſſed the following acts. 1661.

An act to confirm the act of indemnity paſſed in the late parliament. Acts. Statute b. Kennet's regiſter. p. 491.

An act to impower the king to receive from his ſubjects, a free and voluntary contribution for his preſent occaſions.

After this, the king made a ſhort ſpeech to both houſes, to remind them of his declaration from Breda, and of that ſigned by his adherents when his reſtoration began to be talked of, in which they promiſed to renounce all memory of former unkindneſſes, and vowed all imaginable good will to each other. "therefore, (continues he) let it be in no "man's power to charge me or you with breach of our word "or promiſe."

Theſe two acts being diſpatched, the parliament proceeded with vigour in finiſhing the other bills which were before them, and in particular, one for the confiſcation of the eſtates of twenty one regicides deceaſed, and to puniſh three, who were ſpared as to life, but liable to other penalties. Theſe were the lord Monſon, ſir Henry Mildmay and Robert Wallop. It was ordered, that they ſhould on January 30. be drawn upon ſledges with ropes about their necks to the gallows at Tyburn, and from thence conveyed to the Tower, there to remain priſoners during their lives. Orders concerning ſome regicides. Id. p. 490. Heath, p. 501.

The 30th of July the king came to the parliament, and gave the royal aſſent to ſeveral acts.

1. An act for the ſafety and preſervation of the king's perſon and government; which had three remarkable clauſes. Other acts. Statute. b.

The firſt, that if any perſon ſhould compaſs imagine or intend the king's death, deſtruction, or bodily harm, to impriſon or reſtrain his royal perſon, or depoſe him, or ſhould levy war againſt him within or without his realm, or ſtir up any foreign power to invade him; or ſhould declare or expreſs ſuch his wicked intention, by printing, writing, preaching, or malicious and adviſed ſpeaking, he ſhould, being thereof legally convicted, be adjudged a traytor.

The ſecond, that if any man ſhould maliciouſly or adviſedly publiſh or affirm his majeſty to be an heretick or a pa-

1661. a papiſt, or that he endeavoured to introduce popery; or ſhould ſtir up the people to hatred or diſlike of his royal perſon or government; that every ſuch perſon ſhould be made incapable of any office or employment either in church or ſtate.

The third, that if any man ſhould maliciouſly and adviſedly affirm, that the parliament, begun in Weſtminſter the 3d of November 1640, is yet in being, or that any covenant or engagement ſince that time impoſed upon the people, doth oblige them to endeavour a change of the government either in church or ſtate, or that either, or both houſes of parliament have a legiſlative power without his majeſty, that then every ſuch offender, being legally convicted thereof, ſhould incur the penalties of a præmunire mentioned in the ſtatute of the 16th of Richard II.

The other acts now paſſed were:

An act to repeal the law made in the 17th year of Charles I. for the excluſion of the biſhops from the houſe of peers.

An act to prevent tumults and diſorders committed under pretence of preparing, or preſenting petitions to the king or parliament.

An act to declare the ſole right of the militia to be in the king.

An act to impower his majeſty to diſpoſe of the land forces.

An act for the regulation and government of his majeſty's navies and forces by ſea.

An act to impoſe certain pains and penalties upon the perſons or eſtates of thoſe who had a hand in the horrible murder of the late king.

An act for the collection of the great arrears of the duty of exciſe.

An act for providing neceſſary carriages for the king in all his progreſſes and removals.

After theſe acts had received the royal aſſent, the king thanked the two houſes for them, and particularly for that which reſtored the biſhops to their ſeats in parliament, and that which concerned the militia. This done, he gave them leave to adjourn to the 20th of November.

The parliament adjourned.

A Convocation. Kennet's regiſter, p. 480, &c. Collier.

When the king called this parliament, he had no intention to aſſemble the clergy in convocation, believing, the Savoy conference was equivalent to a convocation. But dr. Heylin, in a letter to a miniſter of ſtate, ſhowed, that this conference ought not to hinder the king from aſſembling the clergy,

clergy. He alledged, among other reaſons, that the clergy could not be bound by the acts of the Savoy aſſembly. This was preciſely what the preſbyterian miniſters, appointed by the king, had alledged, to ſhow they had no power to act for their brethren. This convocation did nothing conſiderable, except granting the king a benevolence by virtue of the act above-mentioned [w]. 1661.

While theſe things paſſed in England, the parliament in Scotland proceeded with no leſs vigour. Being aſſembled in January, they began firſt with abrogating and annulling the ſolemn league and covenant of the two kingdoms; and commanded that none of his majeſty's ſubjects preſume, on pretence of any authority whatſoever, to require a renewing, or ſwearing to the league and covenant, witnout his majeſty's ſpecial warrant and approbation. Affairs of Scotland. Burnet. Collier. Echard.

The next declared the power of the militia to be in the king alone, and the act of the 16th of January 1647, by which the late king was delivered to the Engliſh, to be infamous, diſloyal, and contrary to all laws divine and human. Kennet, p. 427.

Epiſcopacy was reſtored in Scotland, and for that purpoſe, four preſbyterian miniſters, Sharp, Hamilton, Fairfoul [x] and Leighton came to London, where, after being ordained deacons and prieſts, they were conſecrated biſhops by the biſhop of Wincheſter, with two other aſſiſting prelates. All four renounced their firſt ordination as invalid, and before their departure from Scotland, obtained from the king a declaration of his pleaſure to reſtore in Scotland the government of the church by archbiſhops and biſhops, as it was in the year 1637. Upon this declaration, the privy council of Scotland ſtrictly diſcharged all eccleſiaſtical meetings at ſynods and preſbyteries, &c. till they ſhould be authoriſed by the archbiſhops and biſhops. An act was alſo paſſed in the Scotch parliament to prohibit all meetings and conventicles in private houſes for religious worſhip. By another act the right of patronage was revived. And laſtly, by another, it was ordained, that all perſons in any publick office, ſhould ſign a ſolemn declaration againſt the national covenant in 1638, and the ſolemn league and covenant in 1643, in which they declared it unlawful to ſubjects upon pretence of reformation, or any other Epiſcopacy there received. May 8. Burnet, p. 139. Kennet's regiſter, p. 441.

[w] In this ſeſſion, the papiſts petitioned the parliament for the repeal of the penal laws againſt them, and for toleration of their religion. See Kennet's regiſter, p. 472, &c.

[x] Rapin, by miſtake ſays, Barwel.

1661. pretence whatſoever, to enter into leagues and covenants, or take up arms againſt the king, or thoſe commiſſioned by him.

The marquis of Argyle beheaded at Edinburgh. State-trials. t. II. p. 430. Burnet. May 11.

The marquis of Argyle having been ſent priſoner to Edinburgh, was there tried, and condemned; and beheaded the 27th of May. Many believed, that revenge, and the avarice of ſome perſons [y], who hoped for the confiſcation of his eſtates, were more powerful motives for his ſentence, than juſtice. A few days before his death, the remains of the unfortunate marquis of Montroſe were ſolemnly interred, and the head of the marquis of Argyle was ſet up in the place where his ſtood.

June 7. Heath.

In England the bodies of Sir Charles Lucas and ſir George Liſle, who were ſhot at Colcheſter in 1648, were likewiſe honourably interred.

Complaints of the royaliſts. Burnet. p. 165. Echard.

During the receſs of the Engliſh parliament, the cavaliers or royaliſts made great complaints of the king's ingratitude, for ſuffering them to periſh with hunger, while, by the act of indemnity, he procured his enemies the ſecure enjoyment of immenſe riches, acquired by illegal means. The city ſwarmed with libels on this ſubject. One, amonſt the reſt, writ by L'eſtrange, told the king bold truths with great freedom. But the king thought not proper to take notice of them, believing, the leaſt he could do for the loyal ſufferers, was to let them complain, ſince it was neither in his inclination nor power to reward them.

Rumour of a conſpiracy. Heath.

To ſuſpend theſe complaints, the city was filled with rumours of projects and plots againſt the king's perſon and government [z]. But many believed this only an artifice to incenſe the parliament againſt the nonconformiſts in general, and the preſbyterians in particular, and afford a pretence to proceed againſt them. The preſbyterians were always confounded with the other ſects, under the denomination of nonconformiſts, who were charged with ill intentions againſt the government, though hitherto the preſbyterians had given no cauſe of ſuſpicion, at leaſt, nothing was proved againſt them. The moſt plauſible thing urged, was, that the independents, anabaptiſts, and the other republicans,

[y] Particularly of the earl of Middletoun. See Burnet, p. 124. The marquis was condemned, as guilty of high treaſon, upon ſome letters formerly writ by him to Monk, wherein he expreſſed a great zeal for the republican cauſe. Theſe Monk baſely ſent down to the marquis's judges. Id. p. 125.

[z] Of which the authors were, Praiſe God Barebone, colonel Salmon, major Wildman, alderman Ireton, &c. Heath, p. 500.

ſeeing

ſeeing the preſbyterians no better treated than themſelves, formed great projects, in hopes of being joined by the preſbyterians at a proper time. Thus much is certain, the project of the act of uniformity, which will be mentioned hereafter, was now formed, and the rumours, true or falſe, of plots carried on by the nonconformiſts, might be very uſeful to palliate the breach of the Breda declaration, under colour of providing for the ſafety of the ſtate. For the preſbyterians could not be attacked on account of religion, without a moſt manifeſt violation of the king's promiſe. 1661.

The earl of Sandwich, vice-admiral, being ſent with a fleet to Liſbon, to bring home the new queen, appeared before Algier to make a treaty with the Corſairs, or reduce them to reaſon by force. But he found them ſo well prepared, that he was obliged to return to Liſbon without any thing done. Algier expedition proves abortive. July. Heath. p. 500. Kennet's regiſter.

The parliament re-aſſembling the 20th of November, the king made a ſpeech to both houſes, without any neceſſity, as they had only been adjourned. He gave for reaſon, that it was to have the pleaſure to ſee the biſhops reſtored to their places in parliament. He then deſired the commons, "To think ſeriouſly upon ſettling his revenue, "and providing for the expences of his navy; adding, "that he aſked nothing for himſelf, but as his intereſt was "united with that of his people." He told them, "that "he was willing they ſhould make a full inſpection into his "diſburſements and receipts, but would not have them "believe any looſe diſcourſes, of giving away eighty thouſand pounds in a morning. That he had much more "reaſon to be ſorry, that he had not to reward thoſe who "had ever faithfully ſerved the king his father and himſelf, than aſhamed of any bounty he had exerciſed towards any man." After this, he told the two houſes, "that he was ſorry to find, the general temper and affections of the nation were not ſo well compoſed as "might have been expected, after ſuch ſignal bleſſings from "God Almighty upon all, and after ſo great indulgence "and condeſcenſions from him towards all intereſts. That "there were ſtill many wicked inſtruments, who laboured "night and day to diſturb the publick peace, and make "all people jealous of each other. That it was worthy "of their care and vigilance, to provide proper remedies "for the diſeaſes of that kind; and if they found new diſeaſes, they muſt ſtudy new remedies. That the diffi-"culties which concerned religion were too hard for him, The parliament meets. The king's ſpeech to them. Id. p. 561.

"and

1661. " and therefore he recommended them to their care and " deliberation, who could beſt provide for them."

Remarks upon this ſpeech.

When the king publiſhed his declaration at Breda, and expreſſed ſo much zeal for paſſing an act of indemnity, agreeably to this declaration, he did not think it out of his power to give a poſitive promiſe, that no perſon ſhould be moleſted on account of religion. But, in all appearance, ſince the elections of the members for this new parliament had been made, according to the wiſh of the miniſtry, in favour of highchurch, it was ſuggeſted to the king that the beſt expedient to obtain whatever he deſired, was to ſacrifice the nonconformiſts to the parliament. It is not very ſtrange, that a prince of his character, who had ſecretly embraced the Roman catholick religion, or, to ſpeak more properly, had no religion at all, ſhould not think it a point of honour to ſupport the preſbyterians, at the hazard of loſing the affection of his parliament. He viſibly begins therefore, in the concluſion of this ſpeech, to uſe evaſions; and by talking in general of perſons, labouring to trouble the peace of the kingdom, furniſhes his parliament with a pretence of treating the nonconformiſts with rigour, as diſturbers of the publick tranquillity. As to religion, he leaves the care of it to the parliament, as of a thing too difficult for him. By this he entirely departs from his Breda declaration, and the act of indemnity, which till now he had ſo much inſiſted on.

The preſbyterians perſecuted.

This ſpeech was as the ſignal to the perſecution, which, ſoon after, broke out againſt the nonconformiſts, and particularly the preſbyterians, for they alone were properly aimed at. We ſhall ſee preſently, that upon rumours of conſpiracies forming againſt the ſtate by the nonconformiſts, without diſtinction of any ſect, acts were grounded, which manifeſtly deſtroyed the Breda delaration, as well as that publiſhed by the royaliſts, when the king's reſtoration was in view.

I ſhall briefly ſtate the argument uſed to ſupport this perſecution. It is true, the king generouſly pardoned the offences committed before his declaration: but he did not promiſe to pardon ſuch as ſhould be afterwards committed. Now, ſince the king has been reſtored, the nonconformiſts are plotting to diſturb the government. It is therefore neceſſary to take all poſſible precautions, to diſable them to execute their deſigns. In anſwer to this argument, it is needleſs to urge the ſlender foundation of theſe pretended plots, for which no man was ever puniſhed, or even proſecuted,

ſecuted [a]. It ſuffices to remark, that it ſuppoſes, what is entirely falſe, that the nonconformiſts made but one body, becauſe their enemies had been pleaſed to give them all one common name. And yet, upon this ſuppoſition ſo notoriouſly falſe, it was thought lawful, to deprive all the ſects, and particularly the preſbyterians, of the benefit of the declaration from Breda, only becauſe their enemies were pleaſed to confound them with the independents and enthuſiaſts, under the ſame appellation of nonconformiſts. I do not think it neceſſary to ſtay any longer to demonſtrate the weakneſs of this argument. But it was ſufficiently valid, for men who had the power in their hands. 1661.

To prepare the way for the deſigned alteration, ſolely founded upon rumours of an imaginary conſpiracy, the parliament thought proper to ſupport theſe rumours, by a petition to the king for a proclamation, to order all officers and diſbanded ſoldiers to depart twenty miles from London. It was natural to infer from thence, that there were grounds for fear, which was indeed the deſign of the proclamation. Petition of the parliament. Kennet's regiſter. p. 563.

The ſame day, the commons voted the king a ſupply of twelve hundred thouſand pounds for his preſent occaſions, that is, to be diſpoſed of as he pleaſed. This was the firſt fruits of his condeſcenſion, with regard to the Breda declaration. A ſupply granted to the king. Ibid.

Then, the parliament reſumed the affair of the nineteen regicides, who had voluntarily ſurrendered themſelves upon the proclamation of the 6th of June, and yet had been ſentenced to death. They were aſked what they had to ſay, why judgment ſhould not be executed upon them? they alledged the king's proclamation, on which they had relied, believing it was his intention to pardon them. But this did not prevent a bill from being brought in for their execution, which was read twice, and then dropped, probably, on the king's powerful ſollicitation in favour of the condemned, who could not have been executed without great prejudice to his honour and faith. Some regicides called before the parliament. Nov. 25. Id. p. 563. 567. Heath. p. 502.

The rumours, as I ſaid, of plots, were abſolutely neceſſary to ſerve for foundation to what was intended to be done. The earl of Clarendon had mentioned theſe plots at the cloſe of the late parliament, and the king at the opening of this. To ſtrike a greater blow, the earl of Clarendon, at The chancellor ſupports the rumour of the plot. Kennet's regiſter, p. 582.

[a] One John Jones, a ſmall-coalman, was hanged and quartered for it, on November 27, or rather for being engaged in Venner's buſineſs, for he was one of his accomplices. Heath, p. 502.

a con-

1661. a conference between the two houſes, affirmed poſitively, that there was a real conſpiracy, which had been forming ever ſince March, to diſturb the peace of the kingdom. He named ſeveral perſons engaged, and gave an exact account of the manner how it was to be executed. He ſaid, though the deſign ſeemed diſconcerted as to the city of London, where the officers and diſbanded ſoldiers had been invited to repair the 11th of the inſtant December, it was ſtill purſued in the country. The lords, upon this information, named a committee of twelve of their houſe, to whom they deſired the commons to add a proportionable number of their members, to examine the horrible deſign, that the execution of it might be prevented, and the peace of the kingdom ſecured.

A remark upon this ſubject.

Certainly, it cannot but appear ſtrange to all, who are not prejudiced by paſſion or party, that a plot, of which the court ſo well knew all the circumſtances, the parties engaged, the day of its deſigned execution in London, the endeavours ſtill uſed to promote it in the country, and concerning which a multitude of letters had been intercepted, that this plot, which was examined by a numerous committee of both houſes, ſhould not be attended with the death of any of the accomplices, nor even with the proſecution of one ſingle perſon. It was, however, upon this ſole foundation, that the corporation act, of which I am going to ſpeak, and all the proceedings againſt the nonconformiſts were built.

Kennet's regiſter, p. 582. Acts. Statute b.

The 20th of December, the king came to the parliament, and paſſed the two following acts:

An act to grant the king twelve hundred and ſixty thouſand pounds, for his preſent occaſions, to be levied by a monthly tax of ſeventy thouſand pounds, for eighteen months.

An act for regulating corporations.

This act, which was called the corporation act, ran, that in order to perpetuate the ſucceſſion in corporations, in the hands of perſons well affected to the government, it was ordained, that every mayor, alderman, common-council-man, or any other officer in a corporation ſhould be obliged, beſides the common oath of allegiance and ſupremacy, and a particular declaration againſt the ſolemn league and covenant, to take an oath, declaring, "that it was "not lawful, upon any pretence whatſoever, to take arms "againſt the king; and that he did abhor that traiterous "poſition,

Oath injoined by the corporation act.

" poſition, of taking arms by his authority againſt his per- 1661.
" ſon, or againſt thoſe commiſſioned by him."

If the oath had imported, that it is not lawful, on any pretence, to take arms againſt the eſtabliſhed government, there had been nothing in it extraordinary. But in this oath, the king was ſuppoſed to be ſole maſter of the government, which is manifeſtly falſe, ſince he can neither make nor repeal a law, without the concurrence of the parliament, and conſequently, the ſovereign authority does not reſide in him alone. This ſuppoſition was exactly like that of the parliament of 1640, that the ſupreme authority reſided in the people, or their repreſentatives in parliament, the abſurdity of which was expoſed by Charles I, in almoſt every one of his papers. They are both equally falſe, and to ſhow that the people of England do not think them true, we need only obſerve, the abſurd conſequences they have produced, and which have been conſtantly rejected by the Engliſh. By the maxim of the parliament of 1640, that parliament believed, they had a right to aboliſh monarchy, and change the eſtabliſhed religion. By the maxim contained in this oath, James II. believed he had a right to introduce a new religion, and eſtabliſh an abſolute power. But the Engliſh nation thought themſelves bound by neither the one nor the other of theſe extravagant maxims. Charles II. was reſtored, notwithſtanding the deciſion of the parliament of 1640; and James II. was dethroned, notwithſtanding the deciſion of this parliament, which had ordered the oath we are ſpeaking of, though the king had concurred to the act. It is impoſſible in England to mark out the degree of obedience due from the people to the king, or the parliament, when they are diſunited. The reaſon is evident, becauſe in their union conſiſts the eſſence of the government. It is in the king and parliament united together, that the abſolute power, neceſſary to all governments, is lodged. Wherefore, to ſay, that " upon any pretence or reaſon whatſo-
" ever," it is not lawful to reſiſt the king or the parliament, is, properly throwing up the liberties of the nation to the mercy of the one or the other. The high-churchmen, of which this parliament was principally compoſed, had then extraordinary ideas of the royal authority. And I know not whether they have yet entirely loſt them. But it is certain, many of them at laſt opened their eyes, and ſaw the dangerous conſequences of their maxims, and even this parliament did not think fit to admit them all, as will hereafter appear. A remark.

1661. When theſe acts were paſſed, the parliament was adjourned to the 10th of January.

Death of the queen of Bohemia. Elizabeth Steuart, daughter of James I. electreſs palatine, and queen of Bohemia, died at London the 13th of February [b].

1661-2. Report of the conſpiracy made by the chancellor. Parker. Kennet's regiſter. The parliament being aſſembled the 10th of January, the firſt thing the lords did, was to receive the report of the committee, appointed to examine the conſpiracy, ſuppoſed to have been forming now almoſt a year, but which had yet produced no effect. The earl of Clarendon, who made the report, ſays, that two perſons, namely, Wildman and Salmon, were particularly engaged, and that a liſt of one hundred and forty officers of the late army had been found with Salmon; that it was further diſcovered, that the conſpirators were to have had a meeting at London the 10th of December, and deſigned to have ſecured Shrewſbury, Coventry, and Briſtol, by the end of January: That where they were prevalent, they were to begin with horrible aſſaſſinations, which moved one of them to relate, that the fugitive judges of the late king were entertained in France, Holland, and Germany, and held a ſtrict correſpondence with the Engliſh conſpirators, and were encouraged by foreign princes: that they had bought a large quantity of arms, and boaſted, if they could once ſet foot in England, they ſhould not want means to carry on their work. That this had been diſcovered by one of the accomplices, and confirmed by uch intelligence from abroad, as never failed: that many met at Huntington, and rode about the town in the night, to the great terror of his majeſty's good ſubjects: that it might be wondered, that ſome propoſals were not made to remedy the impending evil, but the king, having conferred with the duke of Albemarle, had ordered two troops of horſe to Shrewſbury, and as many to Coventry, who, in their way, had diſperſed a great knot of thieves, and taken twenty: that a rumour was ſpread, that the appointing this committe was only a plot of the court to govern by an army, but the committee was very ſenſible of the reality of the danger, and hoped the two houſes would be ſo too: that ſince their

[b] She came from the Hague to London, May 17, 1661, and died February 15, 1661-2, aged ſixty ſix years.—She was interred in Weſtminſter abbey, in the ſame vault with prince Henry her brother. She had eight ſons, and five daughters, of whom the youngeſt ſurviving, the princeſs Sophia, mother of the late king George, was, in 1701, declared heir to the crown of Great Britain.——March 9, died the famous cardinal Mazarin. Kennet's regiſter, p. 393. And November 29, Brian Walton biſhop of Cheſter, the compiler of the Polyglot Bible. This year alſo died ſir Arthur Haſlerig, in the Tower.

enemies

enemies were united for their deſtruction, they ſhould alſo be united for their own preſervation. 1661-2.

When it is conſidered, that after a ſtrict examination of this conſpiracy by a numerous committee of both houſes, the whole amounted only to a liſt of one hundred and forty officers found upon a man, without any other circumſtance; and concerning one of the accomplices not named; to ſecret intelligence that never failed; to a company of men aſſembled about Huntington, in the night for ſome unknown reaſon. That not any of theſe pretended conſpirators, who might have been known by one of their party who had diſcovered the whole plot, was either puniſhed or proſecuted for this ſuppoſed crime: that in ſhort the noiſe of this conſpiracy ceaſed at once after the uniformity act had paſſed: when theſe things, I ſay, are conſidered, who can help thinking it a mere invention, to give ſome colour to this act. The government durſt not attack the preſbyterians directly on account of their religion. The declaration from Breda was too expreſs on that article. But they were to be charged with new crimes, in order to be deprived of the benefit of that declaration. They were not even accuſed of attempting to diſturb the ſtate, ſince the king's reſtoration; but the nonconformiſts in general were accuſed in order to puniſh the preſbyterians, as if they made but one body with independents, anabaptiſts, enthuſiaſts, becauſe to all theſe ſects was given the common name of nonconformiſts. A remark upon this ſubject. Burnet, p. 184.

The firſt of March, the king ſent for the commons to Whitehall, and reproached them, though very civilly, with having done nothing towards the ſettling of his revenues. He artfully inſinuated, that the late troubles had principally been owing to the wants and neceſſities of the crown, thereby intimating, that this had obliged his father to ſtretch the royal prerogative. He added, that there was ſtill in the kingdom a republican party, who promiſed themſelves a ſecond revolution, and therefore the only way to diſappoint their hopes, was to enable the crown to ſupport it ſelf, and ſecure them. He continued his ſpeech in this manner. The king's ſpeech to the commons. Kennet's regiſter, p. 638.

"——Gentlemen, I hear you are very zealous for "the church, and very ſollicitous, and even jealous that "there is not expedition enough uſed in that affair. I "thank you for it, ſince I preſume it proceeds from a "good root of piety and devotion: but I muſt tell you, "I have the worſt luck in the world, if after all the re"proaches of being a papiſt while I was abroad, I am

1661-2. "ſuſpected of being a preſbyterian now I am come home. "I know you will not take it unkindly, if I tell you that "I am as zealous for the church of England, as any of "you can be, and am enough acquainted with the enemies "of it on all ſides; that I am as much in love with the "book of common prayer as you can wiſh, and have pre-"judice enough to thoſe who do not love it, who, I hope, "in time will be better informed, and change their minds; "and you may be confident I do as much deſire to ſee an "uniformity ſettled as any amongſt you. I pray truſt me "in that affair: I promiſe you to haſten the diſpatch of it "with all convenient ſpeed; you may rely upon me in it. "I have tranſmitted the book of common prayer, with "thoſe alterations and additions, which have been preſented "to me by the convocation, to the houſe of peers, with my "approbation, that the act of uniformity may relate to "it: [c] ſo that I preſume it will be ſhortly diſpatched "there: and when we have done all we can, the well ſet-"tling of that affair will require great prudence and diſ-"cretion, and the abſence of all paſſion and precipita-"tion."——

The king's deſign in this part of his ſpeech, was to obtain, that the execution of the act of uniformity, when it ſhould be paſſed, might be left entirely to him, in order to have it in his power to diſpenſe with whom he pleaſed. This he afterwards diſcovered in words more clear and preciſe, though the parliament would not grant his deſire.

Act againſt the quakers. Statute 6. Kennet's regiſter, p. 675. May. 2.

The commons being returned to their houſe prepared ſeveral bills, and amongſt the reſt one againſt the quakers, for refuſing the oaths. Not that they believed themſelves freed by this refuſal from the obligations impoſed by theſe oaths, but becauſe they conſidered all oaths as unlawful. This act and another for the repairing of the ſtreets and high ways in and about London, were paſſed by commiſſion,

Id. p. 687, &c.

At laſt, on the 17th of May, the king coming to the

[c] There were added ſome new collects, as the prayer for all conditions of men, and the general thankſgiving, and the prayer for the high court of parliament, and a new office was made for baptiſm of ſuch as were of riper years, and two more, one for the 30th of January, the other for the 29th of May. In the collect for the parliament, the king was ſtiled, our moſt religious king, an epithet that gave great offence, and occaſioned much indecent raillery. Some new holidays were added alſo, as St. Barnabas, and the converſion of St. Paul, and more leſſons were taken in out of the Apocrypha, particularly the ſtory of bell and the dragon. Burnet, p. 183. See Kennet's regiſter, p. 585, and Nicholls.

parliament, gave his aſſent to ſeveral acts, of which I ſhall only mention the moſt important. 1661-2.

An act for the uniformity of publick prayers, and the adminiſtration of the ſacraments. Other acts. Statute b.

An act for the better regulation and ordering of the ſtanding forces of the nation.

An act for laying a perpetual and annual tax of two ſhillings on every chimney hearth in each houſe, Alms-houſes excepted.

An act to impower his majeſty to levy, for the next enſuing three years, a tax of ſeventy thouſand pounds per month, if neceſſity ſhall ſo require.

Moreover, the houſe of commons ordered ſixty thouſand pounds which exceeded the ſum of twelve hundred thouſand pounds, granted by a former act, to be diſtributed among the poor cavaliers, who had been ſufferers in the late troubles.

After the paſſing of theſe acts, the parliament was prorogued to the 18th of February.

Amongſt theſe acts three are particularly remarkable.

By the act of uniformity, every miniſter was obliged, on pain of loſing all his eccleſiaſtical preferments, to conform to the worſhip of the church of England, according to the new book of common prayer, before the feaſt of St. Bartholomew next, from whence it was called the Bartholomew act. Every miniſter was alſo obliged to ſign the following declaration. "I do here declare my unfeigned aſſent and "conſent to all and every thing contained and preſcribed in "and by the book intitled, the book of common prayer, "&c." Beſides this, every perſon was obliged to ſign a declaration contained in the militia act, in which declaration he was not only to promiſe to conform to the liturgy of the church of England, but likewiſe to renounce the ſolemn league and covenant, declaring it to be an unlawful oath, and impoſed upon the ſubjects of this realm againſt the known laws and liberties of the kingdom. Act of uniformity. Ibid. Kenn.t's regiſter, p. 676, &c.

The penalties annexed to this act were many, particularly, ——"No perſon ſhould be capable of any benefice, or pre-"ſume to conſecrate and adminiſter the holy ſacrament of "the Lord's ſupper, before he be ordained prieſt by epiſcopal "ordination, upon pain to forfeit for every offence the ſum "of one hundred pounds."

I ſhall make but three obſervations upon this act; the firſt ſhall be in the very words of the declaration from Breda. "And becauſe the paſſion and uncharitableneſs of the Remarks upon the act.

1661-2. "times have produced ſeveral opinions in religion, by which "men are engaged in parties and animoſities againſt each "other, which, when they ſhall hereafter unite in a free- "dom of converſation, will be compoſed or better under- "ſtood; we do declare a liberty to tender conſciences, and "that no man ſhall be diſquieted or called in queſtion for "differences of opinion in matters of religion, which do not "diſturb the peace of the kingdom; and that we ſhall be "as ready to conſent to ſuch an act of parliament, as upon "mature deliberation ſhall be offered to us for the full grant- "ting that indulgence."

1662. Let this clauſe be compared with the act of uniformity, and it will eaſily be ſeen, what care the king's own miniſters, who were the real authors or promoters of the act, had of his honour, and what regard he himſelf payed to his promiſe. Notwithſtanding all this, ſome did then and do ſtill conſider this act as the great ſupport and bulwark of the church of England, and extol the authors as deſerving the everlaſting praiſes and bleſſings of the church; whilſt others, perhaps, no leſs ſincerely attached to the church of England, looked upon it as her reproach.

My ſecond remark is, that to this came the promiſes made to the preſbyterians by the king's party, upon the aſſurance of which they had ſo chearfully laboured for his reſtoration, according to the directions received from his friends.

My third obſervation is, that by an artifice the moſt groſs, not only conſpiracies were invented which had no reality, but which, though they had been true, could not have been imputed to the preſbyterians, who were not to anſwer for the crimes of the other ſects.

It will perhaps be imagined, that being a preſbyterian, I ſpeak out of intereſt and paſſion. But I proteſt, I have always had, and ſtill have, a profound reſpect and extreme veneration for the church of England, to which I always conformed during my reſidence there, and am ready to do it again, were I to return. But this does not oblige me to conſider all her members as free from failings, paſſions and prejudices; eſpecially on the preſent occaſion, wherein, as a hiſtorian, truth requires of me to ſhew clearly ſo material a point of hiſtory, as the treachery which was uſed to the preſbyterians. For at their ruin it was that the uniformity act was principally levelled [d].

The

[d] Burnet obſerves, that the favourers of popery, among whom he reckons the king, thought a toleration was the only method for ſetting it a going all

The act concerning the militia, intitled, "An act for the better regulating and ordering the ſtanding forces of the nation," contained amongſt others the following clauſe. 1662. Militia act.

"Foraſmuch as within all his majeſty's realms and dominions, the ſole and ſupreme power, government, command and diſpoſition of the militia, and of all forces by ſea and land, and of all forts and places of ſtrength, is, and by the laws of England ever was, the undoubted right of his majeſty, and his royal predeceſſors, kings and queens of England; and that both or either of the houſes of parliament, cannot, nor ought, to pretend to the ſame; nor can, nor lawfully may raiſe, or levy any war offenſive or defenſive againſt his majeſty, his heirs or lawful ſucceſſors, &c."

It was ordained by this act that all lord lieutenants, deputy lieutenants, officers, and ſoldiers, ſhould take the following oath:——"I do declare, and believe, that it is not lawful upon any pretence whatſoever to take arms againſt the king; and that I do abhor that traiterous poſition, that arms may be taken by his authority againſt his perſon, or againſt thoſe that are commiſſioned by him, in purſuance of ſuch military commiſſions." An oath enjoined.

When in the latter part of the oath the words, "commiſſioned by him," came to be debated in the houſe of commons, a great lawyer [e] moved, that the word "lawfully" might be added to make all clear. But the attorney general ſir Heneage Finch anſwered, "That it was not neceſſary, for the very word commiſſion imported it; ſince if it was not lawfully iſſued out to lawful perſons and for a lawful reaſon, it was no commiſſion." And the whole houſe aſſented to this interpretation. The ſame difficulty, offered in the houſe of lords [f], was removed in the ſame manner [g]. But in ſuppoſing that by commiſſioned could be only meant lawfully commiſſioned, where would have been the hurt to add the word "lawfully" in order to take away all obſcurity, if the parliament had intended to put any reſtriction upon the royal power? Echard.

all over the nation. And nothing could make a toleration for popery paſs, but the having great bodies of men put out of the church, and under ſevere laws, which ſhould force them to move for a toleration, and make it reaſonable to grant it them, p. 179.

[e] Sir John Vaughan. He offered many inſtances of the law books to ſhew, "That it was lawful in many "caſes to take up arms againſt thoſe "who were commiſſioned by the "king." Echard.

[f] By the earl of Southampton.

[g] By the earl of Angleſey.

1662. Suppoſe now, the king inveſted with ſuch a power, had attempted to abrogate all the old, and ſubſtitute new, laws, at his pleaſure, to aboliſh the uſe of parliaments, and force his ſubjects to embrace the popiſh religion; which way could they have maintained their liberties and religion, ſince there was no ſupreme court to call the king to an account, and ſince by this oath it was high treaſon to take up arms againſt him upon any pretence whatſoever? Theſe are the uſual effects of factions in a ſtate. Each party, when ſuperior, thinks only of doing the contrary to what the other has done, without conſidering the conſequences, and generally both parties run into extremes. The parliament of 1640, incenſed againſt Charles I. for attempting to ſtretch his prerogative, are not content to reduce him within due bounds, but aſſume alſo privileges inconſiſtent with the conſtitution, and proceed at laſt entirely to deſtroy the monarchy. The parliament of 1661 not ſatisfied with reſtoring the king to his juſt rights, inveſt him with an unlimited power, and render him as abſolute as any monarch in the univerſe.

Chimney act. The annual tax of two ſhillings upon every fire hearth, not only to this king for his life, but to his ſucceſſors for ever, ſhowed, that this parliament acted not upon a bare motive of zeal and affection for the reigning king, but alſo ſeemed to have an intention of putting the kings of England in a condition to ſupport themſelves without parliaments, by ſo great a power aſcribed to them. And indeed, this ſingle tax amounted to about two hundred and fifty ſix thouſand pounds a year, which, together with tunnage and poundage, exciſe, and other duties, made the revenue of the king double to any of his predeceſſors; ſo fearful was this parliament of not ſufficiently ſhowing their zeal for monarchial government, which had been, many years, ſo unworthily treated.

Echard.

The queen's arrival; Kennet's regiſter, p. 660, 686. The ſeſſion of parliament being ended, the court was wholly employed in preparing for the reception of the new queen, who was daily expected. She left Liſbon the 15th of April, and arrived at Portſmouth the 14th of May, where the king went to receive her [b]. A report was ſpread, that the marriage was ſolemnized by Sheldon, biſhop of London, though others, who believe themſelves better informed, ſay, the queen refuſed to be married by any but a catholick

[b] Rapin had committed ſeveral miſtakes in this paragraph, particularly concerning the dates, which are rectified from the journal of Edward earl of Sandwich, vice admiral. See Kennet's regiſter, p. 660, 686.

prieſt;

prieſt; that the king conſented to it, and that very few perſons were preſent at the ſolemnity [i]. This marriage had been propoſed by d. Franciſco de Mello, the Portugueſe ambaſſador, to general Monk [k], at the time that he was labouring the king's reſtoration. The ambaſſador's aim was to procure Portugal a powerful aſſiſtance from England, ſince by the Pyrenean treaty, the king his maſter had no farther expectations from France. To prevail with Monk, and, by his means, with the king, he engaged that the king of Portugal ſhould give with the princeſs his ſiſter, three hundred thouſand pounds ſterling, the town of Tangier upon the coaſt of Africa, and the iſle of Bombaim in the Eaſt Indies. Monk, pleaſed with theſe offers, propoſed the marriage to the king immediately after his arrival [l]. The king approved of it, and accordingly it was concluded in the year 1661 [m]. Some pretend, that chancellor Hyde ſtrenuouſly oppoſed the marriage upon an information, that the princeſs of Portugal, by ſome natural infirmity, was incapable of having children, but that the king took this for an artifice of the court of Spain to prevent a marriage, which could not but prove prejudicial to their great deſigns upon Portugal. Others ſay, the chancellor was the chief author of the match. Before the conſummation of the marriage, the king, in a treaty with Portugal, engaged to aſſiſt that kingdom againſt Spain [n], and in the nineteenth article, obliged himſelf never to reſtore Dunkirk to that crown,

1662. and marriage. May 21. Id. p. 696. Burnet. Heath. Kennet's regiſter, p. 394. Burnet. Echard. D'Ablancourt. Kennet's regiſter, p. 471.

[i] Burnet ſays, when Sheldon came to perform the ceremony, ſhe would not ſay the words of matrimony, nor bear the ſight of the biſhop. The king ſaid the words haſtily, and the biſhop pronounced them married perſons. But the duke of York told Burnet, they were married by the lord Aubigny, according to the Roman ritual, the duke being one of the witneſſes, p. 174.—Queen Catherine was born November 14, 1638. Kennet's regiſter, p. 696.

[k] The firſt propoſal of it was made to Monk by a Jew, that managed the concerns of Portugal. Burnet, p. 166.

[l] D'Ablancourt ſays, count Schomberg firſt propoſed it to the king. Mem. p. 37.

[m] The Spaniſh ambaſſador oppoſed this marriage to the utmoſt of his power. He propoſed to the king a proteſtant princeſs, namely, either the princeſs of Denmark, or of Saxony, or of Orange. But, as biſhop Burnet obſerves, king Charles pretended a contempt of the Germans, and of the northern crowns. France had no ſiſter. Spain had only two infantas; the eldeſt whereof was married to the king of France, and the ſecond was to go to Vienna. So the houſe of Portugal only remained to furniſh the king a wife.—France ſtrenuouſly promoted this marriage, and to ſucceed the better, offered the earl of Clarendon a penſion of ten thouſand pounds a year; but the earl rejected that offer with great indignation. Fanſhaw's letters, p. 67. Burnet, p. 166, 167.

[n] Namely, to ſend into Portugal three thouſand foot, one thouſand horſe, and eight frigates, to cruiſe upon their coaſts. D'Ablancourt's Mem. p. 37.

When

1662. When the marriage was compleated, the queen mother arrived in England [o], with design, as it seemed, to spend there the residue of her days. The king assigned Somerset House for her residence, and gave her wherewithal to keep a splendid and magnificent court. But she did not, it seems, find in England, the satisfaction she expected, for after three years she returned to France.

Arrival of the queen-mother. July 28. Kennet's register, p. 733. Heath.

The most considerable transaction at the English court, in the remaining part of this year, was the sale of Dunkirk. The king looked upon this place as his property, since it was surrendered to Cromwell by France, in consideration of the succours she had received in her war with Spain. Whether this reason was solid or not, it is certain, the king believed he had a power to dispose of the town as he pleased. The two years large supplies granted him by parliament were all consumed, and his coffers empty, though his extraordinary occasions had been only the disbanding of the army, and payment of the arrears due to the fleet. Whatever were the king's motives to part with this important place, he resolved to sell it to France, by whom it was gladly purchased. The negotiation for this sale began in July 1662, and ended the following October. The king's first demand was, twelve millions of livres. and count d' Estrades, who managed the affair for Lewis XIV. offered but fifteen hundred thousand. This great difference between the sum demanded and offered, was the sole subject of the negotiation. Each feigned, however, to be unwilling to recede, though both were equally impatient, the one to sell, and the other to purchase, and knew one another's intention. Charles told count d' Estrades by his chancellor, that four ways were proposed for the disposal of Dunkirk. The first was, to surrender it to the Spaniards, who offered what price the king should be pleased to demand. The second was, to treat with the Dutch, who offered immense sums. The third was, to put it into the hands of the parliament, who would keep it without any diminution to the king's pretensions as sovereign. The fourth, which he thought most just, and suitable to his interests, was to sell it to the king of France. There was also a fifth way proposed by the earl of Sandwich, which was to demolish it, and fill up the harbour, to render it entirely useless.

The sale of Dunkirk. Kennet's register, p. 723, 733, 802. D'Estrades's letters.

The king of France answered, he much doubted the offer of the Spaniards, who had not yet been able to pay his

[o] With Henry Jermyn, earl of St. Albans, and others.

queen's

queen's portion, though on that payment depended the validity of her renunciation: that it would be more advantageous to the king of England, to make a free gift of the place to the Spaniards, than to receive for it twenty millions from the Dutch, which, moſt certainly, they would not give. And as to delivering it to the parliament, the king knew better than he, how dangerous it was to increaſe the parliament's power. 1662.

In ſhort, Charles came to ſeven millions of livres, and the count d' Eſtrades offered him two, then two and a half, and at laſt three. But the king his maſter had given him power to offer four, at the very time that Charles conſented, that the ſale ſhould be fixed at five millions. The king of France was obliged to come up to his price, when he found nothing would be abated, and that he run the riſk of being diſappointed, if he ſtood out any longer. There was alſo ſome difficulty about the time of payment; the king of England would have all the money at once upon the delivery of the place, and the king of France offered to pay it at ſeveral times. At laſt it was ſettled, that one half ſhould be paid down, and the other in two years, at two ſeveral payments.

Dr. Burnet, in the hiſtory of his own times, ſays, that Charles ſquandered away the money, received for Dunkirk, among his miſtreſs's creatures [p]. Others aſſure, that with one part he diſcharged his ſiſter the ducheſs of Orleans dowry, and with the other aſſiſted Portugal. p. 173. R. Coke.

The motives alledged by the chancellor to the count d' Eſtrades, to ſhow, the king was under a neceſſity to ſell Dunkirk, were, that, his coffers being empty, he could only by that means be enabled to aſſiſt Portugal. But in England, this reaſon was not to be urged, becauſe all knew what vaſt ſums the king had received from the parliament. To cover therefore the diſhonour of this ſale, it was pretended, that the garriſon and repairs of the fortifications coſt the king immenſe ſums to no purpoſe; that "the ſea was ſo "tempeſtuous, and the grounds ſo rowling upon every ſtorm, "that there would never remain a certain ſteerage to that Echard, t. III. p. 84.

[p] Though the king promiſed, That he would lay up all the money in the Tower, and that it ſhould not be touched, but upon extraordinary occaſions. Burnet, p. 172.——The miſtreſs here mentioned was Barbara Villiers, the king's firſt miſtreſs, afterwards created ducheſs of Cleveland. See Burnet, p. 94.

port

1662. "port 9." On this occaſion ſeveral pamphlets were publiſhed, tending to ſhow the injury done to the nation in the ſale of Dunkirk to France, and others to palliate, or to demonſtrate the neceſſity of this ſale.

But the greateſt diſpute concerning this ſubject, was upon two queſtions, Whether the propoſal came from France or England? And whether the earl of Clarendon, as he was generally accuſed, was the author and promoter of the ſale, or, as ſome pretend, proteſted he would not be concerned? I find mr. Echard, in his hiſtory of England, and dr. Burnet, in that of his own times, entirely clear the earl of Clarendon. It is however a fact, as certain as a fact of this nature can be, that the earl of Clarendon propoſed it, negotiated the ſale, and concluded it. To prove this truth, I need only quote the letters of count d' Eſtrades, who was commiſſioned to manage the affair, and conſequently knew more of it than any other. It muſt however be ſaid, in excuſe of mr. Echard and dr. Burnet, that when they writ this part of their hiſtories, count d' Eſtrade's letters, concerning the Dunkirk negotiation, were not publiſhed, and that they knew no more of the affair, than what they had received from the earl of Clarendon's friends.

Count d'Eſtrades, being ambaſſador at London the beginning of the year 1662, had ſecretly agreed with the king, that the French king ſhould ſupply him with a certain ſum of money, to enable him to aſſiſt Portugal. But this was to be kept very ſecret, becauſe of the Pyrenean treaty, by which Lewis had ſolemnly engaged to give no aſſiſtance to Portugal, either directly or indirectly. This ſecret, however, took air, and occaſioned a letter from Lewis to count d'Eſtrades, dated the 4th of March, in which are theſe words: "—— You may tell the king of England, that "what is known here of the money of Havre, came from "Fox himſelf, who has not been very careful to keep the "ſecret. This was partly the cauſe of all the ſenſeleſs noiſe "made in Paris, which doubtleſs muſt have reached Lon-"don, that I am treating for Dunkirk with the ſaid king

9 Theſe were the words of the earl of Sandwich, according to Echard. Burnet ſays, count Schomberg, who was lately come into England, adviſed, in oppoſition to all this, that the king ſhould keep it, for, conſidering the naval power of England, it could not be taken, and that the holding it would keep both France and Spain in a dependence upon the king. But he was ſingular in that opinion. Clarendon ſaid, he knew nothing of thoſe matters, but appealed to Monk's judgment, who was for ſelling it, p. 173.

for

" for a ſum of money, in order to exchange it with the 1662.
" king of Spain, for Cambray, or Aire, and St. Omer.
" You know better than any man, whether I had ever ſuch
" a thought."

It is not unlikely, that this was an inſinuation which begot in Charles the thought of ſelling Dunkirk to France; but the ſale was not mentioned till ſome months after. Count d'Eſtrades being returned to France in April this year, was appointed ambaſſador extraordinary to Holland. But as he was on his journey, he received a letter from the king of England, of the 17th of July, to deſire him to come to London, where he wiſhed to communicate to him an affair propoſed by the chancellor. Count d'Eſtrades, with his maſter's leave, went to London, and there received from him a letter, in which he told him, " —— You may gueſs " with what impatience I expect the arrival of your packet, " which is to inform me of the reaſon of the king of " Great Britain's deſiring to ſpeak with you, and obliging " you to defer your journey to Holland, &c."

As all the other letters, till October, ſhew, the count d'Eſtrades was employed only in this negotiation during his ſtay at London, there is no reaſon to doubt, that the firſt propoſition for the ſale of Dunkirk, came from England.

As to the ſhare the earl of Clarendon had in the affair, it clearly appears in a letter of the 17th of Auguſt, writ by count d'Eſtrades, to the king his maſter, wherein he gives an account of a conference he had with the earl of Clarendon. Theſe are his words: " The chancellor added, that the " thought of this treaty came from him, and did not con- " ceal, that the neceſſity of the Engliſh affairs had inſpired " him with it. That the king, the duke of York, and " himſelf, were alone of this opinion, and that Monk, the " lord treaſurer, and the earl of Sandwich were ſtill to be " managed, whom he could not hope to gain, but by the " great ſums which would accrue to the king: that having " already propoſed it to them from the urgent occaſions of " the ſtate, they had offered an expedient to preſerve the " place for the king, and eaſe him of this expence. —— " I muſt not forget to tell your majeſty, that the chancellor " hinted to me, that the king had precautions to obſerve " with the queen his mother on this affair: that therefore the " king had told the queen, that his ſending for me into " England, was to deſire my application to your majeſty, " for a ſum of money to be lent him in his preſſing neceſſi- " ties, and that he had ordered the chancellor to confer

with

1662. " with me upon it. The chancellor added, that the king " and he were agreed, that the king ſhould complain much " of my non-compliance, with regard to this loan, and that " the chancellor particularly ſhould tell the queen, by way " of ſecret, that I was a ſtrange man, and he very much " miſtaken, if by what I had ſaid to him, I did not in- " tend to demand for ſecurity of this loan, ſome cautionary " town, as England had formerly done by France and " Holland, in a like caſe; but that he had pretended not " to underſtand me, as being a demand to which he would " never adviſe his maſter to conſent. All this diſguiſe is " uſed to prepare the queen to believe, that ſhe knew ſome- " thing of the treaty, if it ſhould come to a concluſion, and " that neceſſity was the motive to it. I am likewiſe to " complain of the chancellor, as of a man who blindly de- " ſires to procure advantages for his maſter, without regard- " ing the intereſt of your majeſty. The whole proceeding " confirms me in the opinion, that they have a mind to a " treaty, and that they are reaſonable in every thing but the " price."

In another letter of the 21ſt of Auguſt, count d'Eſtrades writ to the king, that the chancellor told him, — " That " when it ſhould be known for how ſmall a ſum this treaty " was to be made, the king could not avo'd reproach, and " that, at leaſt, he (the chancellor) would be liable to " publick cenſure, which might endanger his life. That " therefore it was his opinion to make a preſent of it to " your majeſty, and leave the reward to your generoſity: " but as he was not maſter, and was highly concerned to " take of himſelf in ſo nice an affair, he was obliged to " conceal his ſentiments, and pretend to adhere to thoſe of " others, that he might not be taken for the principal au- " thor of the treaty.——He farther enlarged upon the im- " portance of this place, and the advantages which your " majeſty might receive from it, if you ſhould ever deſign to " make conqueſts upon Flanders, &c."

Theſe letters demonſtrate, that the earl of Clarendon, ſon of the chancellor, was ill informed, when he told doctor
p. 173. Burnet that his father kept himſelf out of that affair entirely. It may be ſaid, however, in the chancellor's juſtification, that poſſibly the thought of ſelling Dunkirk came firſt from the king; that perhaps the chancellor endeavoured to diſſuade him from it, and not ſucceeding, had a mind to give him a proof of his obedience, in taking the negotiation upon himſelf, in order to manage it to the king's advantage. For

dr.

dr. Burnet, in his character of this miniſter, obſerves, that 1662.
though a reſolution was taken contrary to his ſentiment, he executed it with the ſame zeal, as if propoſed by himſelf. But this is only a bare poſſibility, which every one will regard as he pleaſes.

While this negotiation employed the king and his firſt miniſter, three of the late king's judges, who had found means to eſcape out of the kingdom, were publickly executed at Tyburn. They had, after wandering through Low and High Germany, ſettled for ſome time at Hanau under borrowed names, and returned in the ſpring to Delft in Holland, having appointed their wives to meet them there, in order to learn the ſtate of affairs in England, and what hopes were left for them; but ſir George Downing, the king's reſident at the Hague, and formerly of their party, having intercepted their letters, obtained the conſent of the ſtates to ſeize and put them on board an Engliſh ſhip, which brought them to England, where they were executed. The names of theſe three regicides were Corbet, Okey, and Berkſtead. Three regicides executed. Echard. Ludlow. Kennet's regiſter, p. 662.

This execution was followed with the trials and condemnation of ſir Henry Vane and general Lambert, who had been particularly excepted in the act of pardon, though they were not amongſt the king's judges, becauſe they were conſidered as the chief authors of the troubles. Vane had been confined, ſhortly after the king's arrival, on a bare ſuſpicion of framing ſome plot againſt the government. But though he was excepted in the act of indemnity, he had, by means of his friends, found ſo much favour from the ſame houſe of commons, who had excepted him, that they petitioned the king, jointly with the peers, that he might not ſuffer death, which was granted by the king. He was therefore kept in priſon without being tried, till the time I am ſpeaking of. But this ſecond parliament being compoſed of men of a different character from the firſt, the commons addreſſed the king to bring him as well as Lambert to their trials. In vain did he alledge in his defence the petition of the firſt parliament; and many other reaſons; he was ſentenced to die as a traitor. Lambert was alſo tried and condemned, but was reprieved at the bar, juſt as he was going to receive ſentence. He was confined in the iſle of Guernſey, where he lived a priſoner thirty ſix years [q]. Sir Henry Vane Proceedings againſt Vane and Lambert. June 2. State trials, t. II. p. 231. Lambert pardoned.

[q] He is ſaid to live and die a papiſt, It was the popiſh intereſt that ſaved his life, and it is thought he died of that perſuation in order to eſcape the

1662. Vane met not with the ſame favour from the king. This, it is pretended, was owing to his inſolent behaviour at his trial. But many believed him a ſacrifice to the manes of the earl of Strafford, to whoſe death he had greatly contributed. His indiſcretion and inſolence, as well at his trial as his execution, have been extremely aggravated. But it is eaſy to ſee, it was only to ſave the king's honour, who, having poſitively promiſed a pardon to all except the king's judges, could not avoid granting a pardon to Vane, without violating his promiſe, and eſpecially after ſparing his life at the requeſt of the late parliament [r]. It was ſo feared that he would inſiſt upon this point in his laſt ſpeech, that drummers were placed under the ſcaffold, who, as ſoon as he began to ſpeak, upon a ſign given, drowned his voice with their drums. All the favour he could obtain from the king, was to be beheaded. Great care was taken after his death to publiſh the king's inclination to pardon him, if he had not been provoked by his inſolence. But this is a thing very hard to be proved.

Vane executed. June 14. Burnet. Heath. Echard.

Burnet, p. 164.

St. Bartholomew's day being come [s], on which the act of uniformity was to take place, two thouſand preſbyterian miniſters choſe rather to quit their livings, than ſubmit to the conditions of the act. It was expected, that a diviſion would have happened amongſt them, and that a great number would have choſe rather to conform to the church of England, than ſee themſelves reduced to beggary. It was not therefore without extreme ſurpriſe, that they were all ſeen to ſtand out, not ſo much as one ſuffering himſelf to be

The preſbyterian miniſters quit their livings rather than ſubmit to the act of uniformity. Kennet's regiſter, p. 747, &c. Baxter's life. Burnet.

the puniſhment others met with, who were no more guilty than he was. Old mr. Barker, a papiſt and dependent on the Norfolk family, knew the particulars. He was reckoned one of fineſt and beſt bred gentlemen in England.

[r] His friends perſuaded him to make ſome ſubmiſſion to the king, in order to ſave his life; but he ſaid, "If the "king did not think himſelf more "concerned for his honour and word, "than he did for his life, he was very "willing they ſhould take it. Nay, "I declare, ſaid he, that I value my "life leſs in a good cauſe, than the "king can do his promiſe. State-trials, tom. II. p. 455.

[s] The preſbyterians remembered, what a St. Bartholomew's had been held at Paris ninety years before, which was the day of that maſſacre, and did not ſtick to compare the one with the other. Burnet, p. 185.——There was a great debate in council, a little before St. Bartholomew's day, whether the act of uniformity ſhould be punctually executed or not. Some moved to have the execution of it delayed till the next ſeſſion of parliament. Others were for executing it in the main, that is, to let ſome eminent men preach in their churches, till they ſhould die, and to put curates to read the common prayer. The earl of Manchester laid all theſe things before the king with much zeal, Sheldon, on the other hand, preſſed the execution of the law. Id. p. 192.

tempted

tempted t. As this is a conſiderable event of this reign, it will not be improper to enquire into the cauſes of this rigour againſt the preſbyterians: I ſay the preſbyterians, becauſe it was not the other ſects that the church of England moſt dreaded. 1662.

1. It cannot be denied, that the highchurchmen, who prevailed in the parliament, acted in a ſpirit of revenge. But this revenge ſhould not appear very ſtrange, conſidering the perſecution, and at laſt, the entire deſtruction, brought upon the epiſcopal church by the preſbyterians, if honour had not been wounded, nor any promiſe made to the preſbyterians. The church of England was the national church, which had flouriſhed from the reformation to the time of the war between Charles I. and the parliament, when the preſbyterians entirely ſubverted it. It was therefore but juſt to reſtore it to its former condition. But it was injuſtice to violate the promiſe made to the preſbyterians, eſpecially as they had greatly contributed to the king's reſtoration, and withal, to that of the very church, which perſecuted them after being re-eſtabliſhed by their aſſiſtance. A remark upon it.

2. But revenge was not the ſole cauſe of the preſent rigour exerciſed againſt the preſbyterians. The deſire of ſelf-preſervation was no leſs concerned. Experience of what had paſſed, taught the church of England, that if the preſbyterians ſhould ever find an opportunity like that which they once had, they would not fail to improve it. They were always irreconcileable enemies, though, in the preſent juncture, they were unable to do any hurt, and obliged to ſue for mercy. It was therefore, undoubtedly, the intereſt of the church of England, to uſe all poſſible precautions to hinder the increaſe of a party already too powerful, and which, probably, would never ceaſe contending for the ſuperiority.

3. We have ſeen what were the notions of this parliament and of highchurch, concerning the royal prerogative, and to what height it was carried. The preſbyterians, as well as the other ſects, were known to follow quite contrary maxims, and if they were not entirely republicans, at leaſt, they endeavoured to reduce the royal power within very narrow bounds, as appeared in the reſolutions and conduct of the

t Burnet inſinuates, that their leaders took great pains to have them all ſtick together, infuſing it into them, that if great numbers ſtood out, that would ſhow their ſtrength, and produce new laws in their favour.——So it was thought, that many went out in the crowd to keep their friends company, p. 292.

1662. parliament of 1640. But while the church of England had no ſuſpicion of the king's religion, and believed him a zealous member, it was her intereſt to ſupport and extend the prerogative, and conſequently to diſable the preſbyterians to proſecute their maxims.

4. The church of England's intereſt required, that ſhe ſhould improve ſo favourable an opportunity, which perhaps might never return. It was ſeen, how greedy the king was of money, to throw it away with the greateſt profuſion, and that he could not be without the aſſiſtance of his parliament, and the church had the good fortune to have a parliament conſiſting of her moſt zealous members, and diſpoſed to ſacrifice to the king a little of the nation's treaſure, provided the king would, in his turn, make them a ſacrifice of the preſbyterians. Though he was not ſuſpected to be a papiſt, it could not be thought, he would, from a pure principle of honour and honeſty, quarrel with a parliament ſo favourable to him, for the ſake of the preſbyterians, whom he neither did, nor had reaſon to love. There was nothing therefore but what might be expected from his complaiſance: provided care was taken to ſupply him with money. Such a juncture was not to be neglected.

5. But there was another ſtill more powerful cauſe of the parliament's ſeverity againſt the preſbyterians. This was the intereſt of the papiſts, who had ever a great influence during this reign. Some made an open profeſſion of their religion, and yet were looked upon with a very favourable eye by the court. Others, after the king's example, pretended to be good proteſtants, and zealous members of the church of England, in order to be more ſerviceable to their party. The firſt uſed their utmoſt endeavours to incite the parliament to a ſevere treatment of the preſbyterians, in order to deſtroy a party which had ſo openly declared againſt the royal power. The others concealing themſelves under a falſe zeal for the proteſtant religion, laboured with the ſame ardour, to excite the enmity of the heads of the church of England, and of thoſe whom they knew to be moſt warm, againſt men, who would not ſpare them, if ever they were in a condition to ruin them, as they had manifeſtly ſhown. But while they were thus zealouſly labouring to bring things to extremities, they were endeavouring, on the other hand, by their emiſſaries, to encourage the preſbyterians, and exhort them to the cloſeſt union, by inſinuating it to be the moſt effectual means to defeat the meaſures of their enemies. They were told, their number was ſo great, that, in all

2 likelihood,

likelihood, it would deter the parliament from attempting the ruin of ſo many at once, for fear of exciting new troubles. Whereas, if their party ſhould divide, they would be inſenſibly and irrecoverably ruined. In ſhort, to induce them the more eaſily not to deſpair, they were told, the king, provoked with the ill treatment they received, notwithſtanding his promiſe to them, would protect them openly if they would remain united; but a diviſion would put it out of his power to do them any ſervice. It is certain, the court was in this diſpoſition, not from any pity to the preſbyterians, or regard to the king's honour, but from the hopes that the union amongſt the nonconformiſts would procure them more favourable conditions, of which the papiſts might make an advantage. But when I ſay the court, I do not pretend to include the earl of Clarendon, though prime miniſter. This juſtice muſt be done him, to ſay, that not only he did not contribute to the deſigns of the king and the papiſts, but was the man that broke their meaſures, by ſecret intrigues, well knowing what was concealed under this feigned moderation of the king to the preſbyterians. However, the king, the duke of York, and the other leading papiſts, believed it neceſſary, to puſh the preſbyterians, and then encourage them to hold together, that the danger ariſing from their union might prevail with the parliament to grant to all the nonconformiſts in general, a toleration which ſhould extend to the papiſts. This is not a bare conjecture. All the king's proceedings demonſtrate this was the ſcheme he had formed. 1662. Burnet, p. 194. Kennet.

I have already mentioned the corporation act, made to prevent diſaffected perſons from being admitted into offices. For the better executing this act, the parliament appointed commiſſioners, who were employed all this year in viſiting corporations, and inſpecting the conduct of the members. A very extenſive power was given to theſe commiſſioners, with abſolute authority to turn out of the corporations, all members who were ever ſo little ſuſpected. For the deſign of this act was to diveſt of all credit, every perſon not entirely devoted to the king and the church of England. This power was exerciſed with all imaginable rigour: ſo that the corporation had not one member left, who was not of the ſame principles with the houſe of commons. Moreover, the walls of Gloucester, Coventry, Northampton, Leiceſter and Taunton were, by order of theſe commiſſioners demoliſhed, becauſe theſe towns had diſtinguiſhed themſelves by their fidelity to the parliament. Rigorous execution of the corporation act. Heath, p. 512.

1662. About the end of the year a conſpiracy was diſcovered, formed by the fifth monarchy-men, and upon the informations of ſome of the accomplices, ſix were executed. Nevertheleſs, many believed, this was only an artifice to excuſe the ſeverity practiſed againſt the nonconformiſts. The ground of this ſuſpicion was, that in a plot formed to ſeize and kill the king, the duke of York, and general Monk, and to ſeize the tower and caſtle of Windſor, only ſix conſpirators were diſcovered, namely, George Phillips a ſerjeant of foot, Thomas Tonge a diſtiller, Francis Stubbs a cheeſemonger, James Hind a gunner, John Sellers a compaſs maker, and Nathaniel Gibbs a felt maker. Few could believe that ſuch men ſhould ever think of ſucceeding in a deſign of that nature. It is true, that to render the conſpiracy more probable, it was ſaid, the old colonels were to aſſemble their diſbanded forces, and Ludlow, then in Switzerland, to come and head them. But though ſuch an undertaking required perſons of ſome diſtinction, yet only theſe ſix wretches who were executed [u], could be diſcovered. At leaſt, if the conſpiracy was real, the plotters had yet made no great progreſs [w].

A plot. Ibid. Echard. Ludlow, III. p. 113. State trials t. II. p. 474.

Six conſpirators executed. Dec. 22.

To finiſh the moſt remarkable tranſactions of this year, I ſhall briefly add, that after the earl of Sandwich left Liſbon, to conduct the queen into England, vice admiral Lawſon, ſailed with a ſquadron to Algier, and forced the Algerines to a peace with England. As the king was in poſſeſſion of Tangier, they, doubtleſs, believed, it would not be advantageous to have him for their enemy. Shortly after, the king declared Tangier a free port, and inveſted it with great privileges [x].

Peace with Algier. October 5. Collect of treaties, t. III. p. 264, 267.

1662-3. The king had already diſcovered, how agreeable it would be to him to have the management of the uniformity act, but the parliament had returned no anſwer to his deſire. Before this act, the preſbyterians had behaved in a manner which gave no juſt cauſe of complaint againſt them, and

The king's conduct to the preſbyterians.

[u] Only Phillips, Tonge, Gibbs, and Stubbs, were executed. John Sellers was afterwards made the king's Hydrographer, and publiſhed ſeveral maps, charts, &c. See Heath, p. 513.

[w] However, as Ludlow obſerves, this ſerved the court for a pretence to ſeize five or ſix hundred perſons; to diſarm all thoſe they ſuſpected; to make thoſe they had taken give bonds not to take up arms againſt the king; and to increaſe their ſtanding guards, tom. III. p. 114.

[x] This year died Robert Saunderſon, biſhop of Lincoln; as did John Gauden, biſhop of Worceſter, the reputed author of Eikon Baſilike. [See Kennet's reg. p. 773, &c.] As alſo William Fiennes, viſcount Say and Seal, lord privy ſeal, and, on Septem. 3. at Burford, William Lenthall, ſpeaker of the long parliament. Id. p. 671.

the king had made them a positive promise, either that he would never consent to the act, or procure them a particular exemption, but he performed neither, his aim having been only to keep them united, by giving them hopes of his protection. After the act was passed, he still continued to feed their expectations, and hence it was, that they addressed the king and council, for a dispensation from the penalties annexed to the act of uniformity. The petition would doubtless have been rejected, if the king had not signified to the council the obligation he was under to grant their request. Some time after he published a declaration, dated the 26th of December, but which appeared not till the beginning of January 1662-3. In the declaration, after an assurance of his firm adherence to the act of uniformity, he said however, that for the sake of others, he was willing to dispense with some matters in it [y]. Upon the declaration, mr. Calamy a presbyterian minister being in the church of Aldermanbury, of which he had the cure before the execution of the act, and seeing the minister, who was expected, did not come, ascended the pulpit and preached, for which he was committed to Newgate by the lord mayor of London. But in a few days, he was discharged by the king's express order.

1662-3.

A declaration in their favour. Kennet's register, p. 848. Dec. 28. Heath, p. 514.

The king, as we have seen, meant to procure some advantages for the presbyterians, in order to procure the same for the papists. This was his scheme, and as it was directly contrary to the earl of Clarendon's principles, mortal enemy of the presbyterians, and no friend of the papists, it is not surprising, it should be formed without the privity of this minister, whose credit, for that reason, began now to decline. Nay, the king had plainly shown, he had not the same affection for him, by obliging his intimate friend secretary Nicholas, worn out with age, to resign his post to the chancellor's professed enemy, sir Henry Bennet, afterwards earl of Arlington. This sufficiently discovered, that his credit with the king was sensibly diminished. On the other hand, though the king affected a great zeal for the protestant religion, the choice of Bennet to be secretary of state, showed

The earl of Clarendon begins to sink in his credit.

The earl of Arlington made secretary of state. October 2. Kennet's register, p. 788, 789.

[y] His words are, "——As for what "concerns the penalties upon those who "(living peaceably) do not conform "through scruple and tenderness of mis-"guided conscience but modestly, and "without scandal, perform their devo-"tions in their own way, we shall "make it our special care, without in-"vading the freedom of parliament, "to incline their wisdom at this next "approaching sessions, to concur with "us in making some such act for that "purpose, as may enable us to exercise "with a more universal satisfaction, "that power of dispensing, which we "conceive to be inherent in us."

1662-3. his inclination for the Roman catholicks, as Bennet was ſtrongly ſuſpected of being a papiſt in his heart, and known for their protector. It is ſaid, he and the earl of Briſtol had induced the king to change his religion at Fontarabia, and that Bennet durſt not return into England, till after the death of the lord Culpeper, who had threatened him to diſcover it to the parliament. Be this as it will, Bennet being the chancellor's enemy, this laſt could not but look upon his enemy's advancement to the poſt of his intimate friend, as a prelude to his diſgrace.

Clarendon. Echard, t. III. p. 95.

The king's deſign in favouring the preſbyterians.

The king's declaration in favour of the preſbyterians, was a farther indication of the chancellor's fall. This declaration had been reſolved and prepared, without his knowledge at Somerſet-houſe, where the queen mother reſided, and probably by a catholick junto, or by ſecret favourers of that religion. Thoſe who knew the chancellor's principles, eaſily judged, he had no hand in it. They had reaſon to be afterwards confirmed in that opinion, when every one evidently ſaw, the king, in his pretended compaſſion for the preſbyterians, deſigned only to procure a toleration for the catholicks. The chancellor, however, kept his poſt for ſome years, though with a great diminution of credit.

Phillips.

The parliament meeting the 18th of February, the king made a ſpeech to both houſes, in which he confined himſelf to one ſingle point, namely, his declaration concerning the act of uniformity. His words were theſe:

The king's ſpeech to both houſes in favour of his declaration. Echard.

"——To cure the diſtempers, and compoſe the different "minds among us, I ſet forth my declaration of the 26th "of December, in which you may ſee, I am willing to ſet "bounds to the hopes of ſome, and to the fears of others; "of which, when you ſhall have examined well the grounds, "I doubt not but I ſhall have your concurrence therein. "The truth is, I am, in my nature, an enemy to all ſeve- "rity for religion and conſcience, how miſtaken ſoever it "be, when it extends to capital and ſanguinary puniſhments, "which I am told were begun in popiſh times: therefore, "when I ſay this, I hope I ſhall not need to warn any "here, not to infer from hence, I mean to favour popery. "I muſt confeſs to you, there are many of that profeſſion "who having ſerved my father and my ſelf very well, may "fairly hope for ſome part of that indulgence I would wil- "lingly afford to others who diſſent from us: but let me ex- "plain myſelf, leſt ſome miſtake me herein, as I hear they "did in my declaration: I am far from meaning by this, "a toleration or qualifying them thereby to hold any offices

"or

" or places in the government; nay, further, I deſire ſome 1662-3.
" laws to be made to hinder the growth and progreſs of their
" doctrines. I hope you have all ſo good an opinion of
" my zeal for the proteſtant religion, as I need not tell you,
" I will not yield to any therein, not to the biſhops them-
" ſelves, nor in my liking the uniformity of it, as it is now
" eſtabliſhed; which being the ſtandard of our religion,
" muſt be kept pure and uncorrupted, free from all other
" mixtures: and yet, if the diſſenters will demean themſelves
" peaceably and modeſtly under the government, I could
" heartily wiſh, I had ſuch a power of indulgence, to uſe
" upon occaſions, as might not needleſsly force them out of
" the kingdom, or ſtaying here, give them cauſe to conſpire
" againſt the peace of it.

" My lords and gentlemen, it would look like flattery
" in me to tell you, to what degree I am confident of
" your wiſdom and affection in all things, that relate to
" the greatneſs and proſperity of the kingdom. If you
" conſider well what is beſt for us all, I dare ſay we ſhall
" not diſagree."——

This ſpeech, with the declaration of the 26th of December, alarmed the houſe of commons. It may almoſt be affirmed, that whatever the commons had done in favour of the king, was only to procure his aſſent to the act of uniformity, and yet, they ſaw him not only diſpenſe with that act, but even deſire a power to diſpenſe with it, that is, to ſet it aſide as often as he pleaſed: that this was not only in favour of the preſbyterians, who had a better claim to indulgence than the other ſects, but moreover, in favour of all the nonconformiſts. Nay, it was eaſy to perceive, from what he ſaid concerning the catholicks, that his intention was to prevent their being diſtinguiſhed from the proteſtant ſects, in caſe his deſires were complied with. This juſtice ought to be done to the highchurch party, that though their enemies frequently brand them for papiſts, on account of their extreme attachment to certain forms and ceremonies, yet are they as far removed from the eſſence of popery, as the other epiſcopalians, and even the preſbyterians themſelves. This they have demonſtrated on ſeveral very remarkable occaſions. The houſe of commons, which, as I ſaid, was chiefly compoſed of highchurchmen, found in the king's demand, two articles equally oppoſite to their principles, namely, indulgence for the preſbyterians, and indulgence for the catholicks. Wherefore, they reſolved to preſent an addreſs to

The commons are alarmed. Ibid.

1662-3. the king, wherein, after the neceſſary compliments, they proceeded in the following manner.

Addreſs of the commons about the king's declaration. Feb. 27. Phillips. Kennet. Echard.

"——It is with extreme unwillingneſs and reluctancy of "heart, that we are brought to differ from any thing which "your majeſty has thought fit to propoſe: and though we "do no way doubt, but that the unreaſonable diſtempers of "ſome men's ſpirits, and the many mutinies and conſpira- "cies which were carried on during the late intervals of "parliament, did reaſonably incline your majeſty to endea- "vour by your declaration, to give ſome allay to thoſe ill "humours, till the parliament aſſembled; and the hopes of "indulgence, if the parliament ſhould conſent to it; eſpe- "cially ſeeing the pretenders to this indulgence, did ſeem "to make ſome titles to it, by virtue of your majeſty's de- "claration from Breda. Nevertheleſs, we your majeſty's "moſt dutiful and loyal ſubjects, who are now returned to "ſerve in parliament from thoſe ſeveral parts and places of "your kingdom, for which we were choſen, do humbly of- "fer to your majeſty's great wiſdom, that it is in no ſort "adviſeable, that there be any indulgence to ſuch perſons "who preſume to diſſent from the act of uniformity, and "the religion eſtabliſhed: for theſe reaſons we have conſi- "dered the nature of your majeſty's declaration from Breda, "and are humbly of opinion, that your majeſty ought not "to be preſſed with it any farther; 1. Becauſe it is not a "promiſe in itſelf, but only a gracious declaration of your "majeſty's intentions, to do what in you lay, and what a "parliament ſhould adviſe your majeſty to do; and no ſuch "advice was ever given or thought fit to be offered, nor "could it be otherwiſe underſtood, becauſe there were laws "of uniformity then in being, which could not be diſpenſed "with but by act of parliament. 2. They who do pre- "tend a right to that ſuppoſed promiſe, put the right into "the hands of their repreſentatives, whom they choſe to "ſerve for them in this parliament, who have paſſed, and "your majeſty conſented to the act of uniformity. If any "ſhall preſume to ſay, that a right to the benefit of this de- "claration doth ſtill remain after this act paſſed. 3. It "tends to diſſolve the very bonds of government, and to "ſuppoſe a diſability in your majeſty and the houſes of par- "liament, to make a law contrary to any part of your ma- "jeſty's declaration, though both houſes ſhould adviſe your "majeſty to it.

"We have alſo conſidered the nature of the indulgence propoſed, with reference to thoſe conſequences which muſt

"neceſſarily

" neceſſarily attend it. 1. It will eſtabliſh ſchiſm by a law, 1662-3.
" and make the whole government of the church precari-
" ous, and the cenſures of it of no moment or conſidera-
" tion at all. 2. It will no way become the gravity or wiſ-
" dom of a parliament, to paſs a law at one ſeſſion for uni-
" formity, and at the next ſeſſion (the reaſons of uniformi-
" ty continuing ſtill the ſame) to paſs another law to fruſ-
" trate or weaken the execution of it. 3. It will expoſe
" your majeſty to the reſtleſs importunity of every ſect or
" opinion, and of every ſingle perſon alſo, who ſhall pre-
" ſume to diſſent from the church of England. 4. It will
" be a cauſe of increaſing ſects and ſectaries, whoſe num-
" bers will weaken the true proteſtant profeſſion ſo far, that
" it will at leaſt be difficult for it to defend itſelf againſt
" them: and which is further conſiderable, thoſe numbers,
" which by being troubleſome to the government, find they
" can arrive to an indulgence, will, as their numbers in-
" creaſe, be yet more troubleſome, that ſo at length they
" may arrive to a general toleration, which your majeſty
" hath declared againſt, and in time ſome prevalent ſect will
" at laſt contend for an eſtabliſhment; which, for ought
" can be foreſeen, may end in popery. 5. It is a thing al-
" together without precedent, and it will take away all
" means of convicting recuſants, and be inconſiſtent with
" the method and proceedings of the laws of England.
" Laſtly, it is humbly conceived, that the indulgence pro-
" poſed will be ſo far from tending to the peace of the king-
" dom, that it is rather likely to occaſion great diſturbance.
" And on the contrary, that the aſſerting of the laws and
" the religion eſtabliſhed, according to the act of uniformi-
" ty, is the moſt probable means to produce a ſettled peace
" and obedience throughout your kingdom; becauſe the va-
" riety of profeſſions in religion, when openly indulged,
" doth directly diſtinguiſh men into parties, and withal
" gives them opportunity to count their numbers; which,
" conſidering the animoſities that out of a religious pride
" will be kept on foot by the ſeveral factions, doth tend di-
" rectly and inevitably to open diſturbance. Nor can your
" majeſty have any ſecurity, that the doctrine or worſhip
" of the ſeveral factions, which are all governed by a ſeve-
" ral rule, ſhall be conſiſtent with the peace of your king-
" dom. And if any perſon ſhall preſume to diſturb the
" peace of the kingdom, we do in all humility declare,
" that we will for ever, and on all occaſions, be ready with
" our utmoſt endeavours and aſſiſtance to adhere to, and

" ſerve

1663. "ſerve your majeſty, according to our bounden duty and al-
"legiance."

This addreſs, notwithſtanding the weakneſs of the reaſons alledged in it, produced the effect, the commons expected, which was, to let the king ſee, it would be in vain to endeavour to obtain from the parliament a power of diſpenſing with the uniformity act. He anſwered in writing, about three weeks after, that he was unwilling to reply to their reaſons, though he found he had been miſunderſtood, but renewed his thanks for their declaration to aſſiſt him againſt any perſon, that ſhould preſume to diſturb the peace of the kingdom.

The king's anſwer. March 16. Echard.

As in the king's ſpeech and declaration, there were two articles which gave an alarm to the parliament, the one relating to the nonconformiſts in general, the other concerning the papiſts in particular, the commons, after acting againſt the former, reſolved alſo to proceed againſt the latter. To that end they obtained the concurrence of the lords, for an addreſs to be jointly preſented to the king, wherein both houſes ſaid, "That his majeſty's lenity towards the papiſts, "had drawn into the kingdom a great number of Romiſh "prieſts and jeſuits: they were therefore humble ſuitors to "him, to iſſue out a proclamation to command all jeſuits, "and all Engliſh, Iriſh, and Scotiſh popiſh prieſts, and all "ſuch other prieſts as have taken orders from the ſee of "Rome, or by authority thereof, (except ſuch foreign jeſu-"its or prieſts, as by contract of marriage are to attend the "perſons of either of the queens, or by the law of na-"tions to attend foreign ambaſſadors) to depart this king-"dom by a day, under pain of having the penalties of the "law inflicted upon them." The king anſwered in writing: "That he was not a little troubled, that his lenity "and condeſcenſion towards many of the popiſh perſuaſi-"on (which were but natural effects of his generoſity and "good nature, after having lived ſo many years in the do-"minions of Roman catholick princes; and out of a juſt "memory of what many of them have done and ſuffered in "the ſervice of his father and himſelf) had been made ſo "ill uſe of, and ſo ill deſerved, that the reſort of jeſuits and "prieſts into this kingdom, had been thereby increaſed, "with which his majeſty was and is highly offended. But "that he would iſſue out a proclamation as he was deſired, "and take care it ſhould be more effectual than any pro-"clamation of that kind had ever been. He declared far-"ther to both houſes, and all his loving ſubjects, that

The king addreſſed by the two houſes. April 1. Ibid.

His anſwer. Echard.

"as

" as his affection and zeal for the proteſtant religion, and 1663.
" the church of England, had not been concealed or un-
" taken notice of in the world, ſo he was not, nor ever
" would be, ſo ſollicitous for the ſettling his own revenue,
" or providing for the peace and tranquillity of the king-
" dom, as for the advancement and improvement of the
" religion eſtabliſhed, and for the uſing and applying all
" proper and effectual remedies to hinder the growth of
" popery, both which he in truth looked upon the beſt ex-
" pedients to eſtabliſh the peace and proſperity of all his
" kingdoms."

The proclamation was accordingly publiſhed, but no better obſerved than all thoſe publiſhed for the ſame purpoſe, ſince the beinning of the reign of James I. As it was not then known that the king was a catholick, his aſſurances of zeal for the proteſtant religion were taken for ſo many truths, which removed all ſuſpicion of his having the leaſt deſign to reſtore the catholick religion in England. As we are now better informed, we are better able to judge of his intentions.

A proclamation againſt Romiſh prieſts. April 9. Ibid. Kennet's hiſt.

This affair being ended, the commons proceeded next to examine the ſtate of the king's ordinary revenue, and to think of means to raiſe it to twelve hundred thouſand pounds, according to their promiſe [z]. But as this affair required a long diſcuſſion, the king, who deſigned an immediate prorogation of the parliament, thought proper to make an attempt for a ſpeedy and extraordinary ſupply from the commons, till his revenues ſhould be ſettled. For that purpoſe he ſent for them to the banquetting-houſe, and in a ſpeech, the moſt flattering, pathetick, and affectionate, he had ever yet made, demanded a preſent ſupply of money, without which he aſſured them it was impoſſible to ſtruggle with the difficulties, he was preſſed with. He offered to ſhow, that the twelve hundred thouſand pounds formerly granted him, had been, to the laſt penny, diſpoſed for the publick ſervice. But he well knew there was no danger in the offer, though it was not eaſy to imagine to what publick uſe the money had been applied. However that be, the commons moved with the king's great affection for his people, and his ardent zeal for the proteſtant religion, granted him four entire ſub-

The king demands a ſupply; has it granted. June 12. Echard.

[z] The particular branches of the revenues were, the cuſtoms, the exciſe, the crown lands, the hearth money, the poſt office, the firſt fruits and tenths, the coinage, the alienation office, with other leſſer matters, which in all amounted to eleven hundred thouſand pounds, or thereabouts. Echard, t. III. p. 102.

ſidies,

1663. ſidies, and the clergy in convocation, following their example gave him the ſame.

The chancellor's credit declines. Echard.

Mean time, the chancellor's credit daily declined, not that his affection for the king was leſſened, but, probably, becauſe the king, entering into new projects advantageous neither to the ſtate nor religion, did not believe that miniſter a proper inſtrument to aſſiſt him in the execution thereof. If the chancellor's enemies had met with encouragement from the king, he would have been already diſgraced, but his ſervices, affection, and fidelity, as well during the king's exile, as ſince his reſtoration, could not eaſily be forgot. Wherefore he was continued, not only in his poſt, but even in ſome degree of favour, which made the papiſts fear, he would at laſt recover his credit, and break all their meaſures. This probably engaged the earl of Briſtol, a profeſſed papiſt, to endeavour utterly to ruin the chancellor, by impeaching him before the lords of high treaſon, believing doubtleſs, the king would not be diſpleaſed to ſee him fall by that means, without his having any hand in it. But if it was eaſy to accuſe the chancellor, it was difficult to draw an impeachment ſo plauſible and coherent as to make him appear criminal. The articles exhibited againſt him by the earl of Briſtol, were to this effect:

Burnet, p. 196, 197.

Articles of accuſation againſt him. July 10. State trials, t. II. p. 550. Kennet.

" 1. That he had endeavoured to alienate the hearts of " his majeſty's ſubjects, by artificially inſinuating to his " creatures and dependants, that his majeſty was inclined " to popery, and deſigned to alter the eſtabliſhed religion.

" 2. He had ſaid to ſeveral perſons of his majeſty's pri- " vy council, that his majeſty was dangerouſly corrupted " in his religion, and inclined to popery: that perſons of " that religion had ſuch acceſs, and ſuch credit with him, " that unleſs there were a careful eye had unto it, the pro- " teſtant religion would be overthrown in this kingdom.

" 3. Upon his majeſty's admitting ſir Henry Bennet to " be ſecretary of ſtate, in the place of ſir Edward Nicholas, " he ſaid, that his majeſty had given ten thouſand pounds " to remove a zealous proteſtant, that he might bring into " that place of high truſt a concealed papiſt.

" 4. In purſuance of the ſame traiterous deſign, ſeve- " ral friends and dependants of his have ſaid aloud, that " were it not for my lord chancellor's ſtanding in the gap, " popery would be introduced into this kingdom.

" 5. That he had perſuaded the king, contrary to his " reaſon, to allow his name to be uſed to the pope and " ſeveral cardinals in the ſollicitation of a cardinal's cap

" for

" for the lord Aubigney, great almoner to the queen: In 1663.
" order to effect which, he had employed mr. Richard
" Bealing, a known papiſt; and had likewiſe applied him-
" ſelf to ſeveral popiſh prieſts and jeſuits for the ſame pur-
" poſe, promiſing great favour to the prieſts here, in caſe
" it ſhould be effected.

" 6. That he had likewiſe promiſed to ſeveral papiſts, he
" would do his endeavour, and ſaid, he hoped to compaſs
" the taking away all penal laws againſt them; to the end
" they might preſume and grow vain upon his patronage,
" and by their publiſhing their hopes of a toleration, in-
" creaſe the ſcandal endeavoured by him to be raiſed through-
" out the kingdom.

" 7. That being intruſted with the treaty betwixt his
" majeſty, and the royal conſort the queen, he concluded
" it upon articles ſcandalous and dangerous to the pro-
" teſtant religion: moreover he brought the king and queen
" together, without any ſettled agreement about the per-
" formance of the marriage rites: whereby the queen re-
" fuſing to be married by a proteſtant prieſt, in caſe of
" her being with child, either the ſucceſſion ſhould be made
" uncertain for want of due rites of matrimony, or elſe
" his majeſty be expoſed to a ſuſpicion of his being mar-
" ried in his own dominions by a Romiſh prieſt.

" 8. That having endeavoured to alienate the affections
" of the king's ſubjects upon the ſcore of religion, he made
" uſe of all malicious ſcandals and jealouſies to raiſe to
" himſelf a popular applauſe of being the zealous uphol-
" der of the proteſtant religion.

" 9. That he further endeavoured to alienate the af-
" fections of the king's ſubjects, by venting in his own diſ-
" courſe, and thoſe of his emiſſaries, opprobrious ſcandals
" againſt his majeſty's perſon, and courſe of life, ſuch as
" are not fit to be mentioned, unleſs neceſſity ſhould re-
" quire it.

" 10. That he endeavoured to alienate the affection of
" the duke of York, from his majeſty, by ſuggeſting to
" him, that his majeſty intended to legitimate the duke of
" Monmouth.

" 11. That he had perſuaded the king, againſt the ad-
" vice of the lord general, to withdraw the Engliſh garri-
" ſons out of Scotland, and demoliſh all the forts built there,
" at ſo vaſt a charge to this kingdom; and all without ex-
" pecting the advice of the parliament of England.

" 12. That

1663. "12. That he endeavoured to alienate his majeſty's affections and eſteem for his preſent parliament, by telling him, that there was never ſo weak and inconſiderable a houſe of lords, nor never ſo weak and heady a houſe of commons; and particularly, that it was better to ſell Dunkirk, than to be at their mercy for want of money.

"13. That, contrary to a known law made laſt ſeſſions, by which money was given and applied for the maintaining of Dunkirk, he adviſed and effected the ſale of the ſame to the French king.

"14. That he had contrary to law, enriched himſelf and his creatures by the ſale of offices.

"15. That he had converted to his own uſe vaſt ſums of publick money raiſed in Ireland by way of ſubſidy, private and publick benevolences, and otherwiſe given and intended to defray the charge of the government in that kingdom.

"16. That having arrogated to himſelf a ſupreme direction of all his majeſty's affairs, he had prevailed to have his majeſty's cuſtoms farmed at a lower rate than others offered, and that by perſons, with ſome of whom he went a ſhare, and other parts of money reſulting from his majeſty's revenues."

Rejected by the lords. Kennet. Echard.

Without entering into the particulars of this charge, I ſhall content myſelf with obſerving, it was unanimouſly rejected, as improbable, and even contradictory [a]. For, beſides that the earl of Clarendon was known to be no leſs prejudiced againſt the papiſts than againſt the preſbyterians, it could not but appear ſtrange, that an open and declared papiſt, as the earl of Briſtol was, ſhould accuſe the chancellor of favouring the Romiſh religion, and on the other hand, of inſinuating, that the king was a papiſt, in order to alienate the affection of his ſubjects. But what was ſtill more extraordinary in the impeachment, is, that the inſinuations the chancellor was accuſed of, concerning the king, were true in themſelves, and that the earl of Briſtol pretended to repreſent them as ſlanders.

[a] Upon their being rejected, the earl of Briſtol ſaid, "Thoſe articles were not intended by him as a charge, but as an information." As ſoon as he had delivered them, he it ſeems, either repented of it, or at leaſt was prevailed with to abſcond. Burnet, p. 197.

In

In this ſeſſion, the parliament granted the duke of York the revenues of the poſt office [b], and wine licenſes. Theſe revenues, which afterwards conſiderably increaſed, enabled the duke of York to keep a ſeparate court, and live independent of his brother. 1663. The revenue of the poſt ſettled on the duke of York. Ibid.

The 27th of July, the king gave his aſſent to the ſubſidy act, and ſome others, after which he prorogued the parliament to the 16th of March the following year 1663-4. The parliament prorogued. Kennet.

Shortly after, the king and queen made a progreſs into the weſt, where they were received with great pomp and magnificence, particularly at Oxford. This was only a journey of pleaſure, and after five or ſix weeks ſpent in it, they returned to London in October. The king makes a progreſs. Auguſt. Phillips. Echard.

While the king was upon his progreſs, a conſpiracy was diſcovered, carried on by the old republicans and independents, to reſtore the commonwealth. It is pretended, they were to ſeize ſeveral towns, particularly in the north, where they believed themſelves ſtrongeſt, and then raiſe a general inſurrection. But being diſcovered by one of the accomplices, many were apprehended, and one and twenty convicted and executed the January following. It was aſſured, that Ludlow and Lambert were to head theſe rebels, though the firſt never ſtirred out of Switzerland, where he had fled for refuge. As for Lambert, beſides that he never left the iſle of Gurnſey where he was confined, if any proofs had appeared againſt him, he would, doubtleſs, not have been ſpared. It is true, Ludlow, in his memoirs, ſeems to own, there was, this year, ſome project ſet on foot by the republicans in England. A plot of the republicans and independents. Ludlow. t. III. p. 118. &c. Phillips. Echard. III. p. 518.

This year died Dr. Juxon archbiſhop of Canterbury, and was ſucceeded by Gilbert Sheldon Biſhop of London [c]. Dr. Juxon dies.

The parliament meeting the 16th of March, the king, in a ſpeech to both houſes, demanded a repeal of the triennial act made in 1641. To come to this demand, he enlarged on the late conſpiracy, which he ſaid was ſtill on foot, and that there were men, who, on pretence that the parliament was at an end by ſome clauſe in the triennial bill, fancied they might aſſemble themſelves, and chuſe new members. He deſired the two houſes not to leave an act in be- June 4, 1663-4. The king's ſpeech to the parliament. Kennet. Echard.

[b] Which then brought in twenty one thouſand pounds a year. *Hiſt. of taxes*, p. 307.

[c] This year alſo died, Jerome Weſton earl of Portland, and judge Jenkyns, who had been queſtioned and impriſoned by the long parliament.

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1663-4. ing, which paſſed in a time very uncareful of the dignity of the crown, or ſecurity of the people. Laſtly, he told them, he loved parliaments: that never king was ſo much beholden to them as himſelf, nor did he believe the crown could ever be happy without frequent parliaments: but he would never ſuffer a parliament to come together, by the means preſcribed by that bill. He then told them, that the four ſubſidies granted the laſt ſeſſion, had fallen very ſhort of what he expected, or they intended: that the revenues of the exciſe, and tunnage and poundage were greatly diminiſhed by the frauds of brewers and merchants, and the tax upon chimnies declined, the laſt half year having brought in leſs than the former. He therefore prayed them to let him have the collecting of this tax by his own officers.

1664. The commons returning to their own houſe, proceeded immediately upon a bill to repeal the triennial act, and made another in its room, namely, that the ſitting of parliament ſhould not be diſcontinued above three years at moſt. This bill being ready, and paſſed by the lords, the king came to their houſe the 5th of April, and gave it the royal aſſent.

The act of triennial parliaments revoked.

Cauſe of the Dutch war. Phillips. Echard. R. Coke.

The king had ſometime ſince reſolved upon a war with Holland: but it is difficult to know the true motive of this reſolution. For the cauſes alledged were only general, except the taking of two ſhips in the Eaſt Indies, valued at the moſt but at eight or ten thouſand pounds Sterling. If ſome Engliſh hiſtorians are to be credited, the king had no thoughts of this war: the Dutch were the aggreſſors, and being encouraged by promiſe of great aſſiſtance from France, ſought a quarrel with England. They alſo pretend, it was ſolely at the preſſing inſtances of the parliament, that the king was drawn into this war: to revenge the wrongs and damages done by the Dutch to the Engliſh in India, Africa, and elſewhere. But as theſe hiſtorians deſcend not to particulars, but keep to generals, the reader would be very ill informed, if he adhered only to what they ſay. I ſhall therefore relate here what I meet with in others, who more fully explain the affair.

Baſnage.

The 27th of April 1662, the ſtates general of the United Provinces made a treaty with the king of France, by which both parties engaged to aſſiſt one another, in caſe of

Sept. 24. any attack upon either in Europe. The ſame year they made a like treaty of league and alliance with the king of England. This had relation to another made in 1659, between

tween England and the ſtates before the king's reſtoration, and ſeemed to be renewed only to remove the defect of that of 1659, made on the part of England by an unlawful authority. However, it happened, in the interval between the two treaties, that the Dutch had ſunk or taken in the Indies two Engliſh ſhips, called the Bonadventure and the Good-Hope, which occaſioned a miſunderſtanding between the two nations [d]. The Engliſh pretended, theſe two ſhips were attacked without any juſt cauſe, and the Hollanders maintained the contrary. In the treaty of 1662, the affair of theſe two ſhips was again debated; but as their value was inconſiderable, it was not thought proper to delay a treaty advantageous to both nations. It was therefore agreed, that the Engliſh ſhould be allowed to proſecute the proceſs commenced on account of their ſhips, and the ſtates depoſited fourſcore thouſand florins by way of ſecurity to pay the full value in caſe the affair was decided againſt them. Some time after another diſpute aroſe upon the ſame ſubject, and this was, the king pretended, that the ſtates general were judges of the proceſs, to which the ſtates replied, that it belonged to the cognizance of the admiralty of Amſterdam, who only had a right to decide it. The affair remained in this ſtate till April this year 1664, when the commons, after an inquiry into the obſtructions of the trade of the nation, voted, and obtained the concurrence of the lords to their vote, "That the wrongs, diſhonours, and indignities "done to his majeſty by the ſubjects of the United Pro- "vinces in India, Africa, and elſewhere; and the damages "done by them to the Engliſh merchants, are the greateſt "obſtructions of the trade of England. That the ſame be "ſpeedily preſented to his majeſty, and he be moved to "take ſome effectual courſe for redreſs of theſe injuries, "and all other of the like nature, and for prevention of the "like for the future. And in proſecution thereof, they "will with their lives and fortunes aſſiſt his majeſty, againſt "all oppoſitions whatſoever." In purſuance of this reſolution, the two houſes preſented, the ſame day, an addreſs to the king, to which, on the morrow, they received this anſwer in writing. "That he was pleaſed with their zeal for

1664.

D'Eſtrades.

Vote of the parliament againſt the Dutch. Echard. Kennet. Phillips.

The parliament addreſſes the king. His anſwer. Apr. 27, 28. Echard.

[d] De Wit told count d'Eſtrades, that the difference between the two nations aroſe on account of Downing's intereſts only, who had bought the pretended rights of the merchants, concerned in thoſe two ſhips, for a trifle; that to this end he inflamed the king of England's council, raiſing imaginary grievances and injuries received at ſea by the Engliſh, which they never ſuffered. D'Eſtrades letters of June 5. 1664.

1664. "the advancement of trade, and the removal of all obſtructions which might hinder the ſame; being convinced, "that nothing would more contribute to the honour of "the nation, and the proſperity of his people. That he "would examine the particular complaints which had been "repreſented by his parliament, and order his miniſter in "Holland to demand ſpeedy reparation, and in caſe of a de-"nial, he relied on their promiſe and declaration to ſtand by "him."

It is eaſy to ſee, that no particulars were ſpecified either in the addreſs or the anſwer, and that hitherto all was confined to generals. It will afterwards appear, that the Engliſh always kept to the ſame expreſſions, till the negotiation of the peace, when they were obliged to declare wherein conſiſted the injuries they complained of, the principal of which was found to be the loſs of the two ſhips beforementioned. It is now time to ſhow, that when theſe complaints were brought to the parliament, the king had already reſolved on the war, and that theſe complaints were only deſigned to furniſh a pretence, and engage the parliament, to grant him the neceſſary ſupplies to ſupport it.

Since the treaty of 1662, the ſtates had great cauſe of complaints againſt the Algerines, notwithſtanding the peace concluded with them in 1661. England was no leſs concerned than the ſtates in the depredations committed by the Algerines upon all ſorts of ſhips, and therefore the ſtates deſired the king of England to join a ſquadron of his ſhips with a fleet they were equipping, to oblige the Algerines to a more exact obſervation of the peace. The king anſwered, he had rather act ſeparately.

Baſnage. Kennet. Burchett. R. Coke.

After this anſwer, the ſtates ſent Ruyter into the Mediterranean, with a ſquadron of twelve ſhips, and the king ſent thither a fleet of twenty ſail under the command of Lawſon. Theſe two fleets departed in May this year, and about the ſame time the duke of York, as governor of the royal African company, ſent vice admiral Holms to Cape Verde, with a ſquadron of fourteen men of war, to take all poſſible advantages againſt the Dutch Eaſt India company. Lawſon meeting Ruyter in the Mediterranean, was ſaluted by the Dutch admiral, but returned not the compliment, contrary to what had been ſtipulated in the treaty of 1662. It is not neceſſary to take notice here of the little ſucceſs Lawſon and Ruyter had againſt the Algerines. What Holms did at Cape Verde is much more material.

In

In the months of Auguſt and September, Holms made himſelf maſter of fort St. Andrews, and moſt other places belonging to the Dutch in the neighbourhood of Cape Verde, and, after taking the fort built on the cape itſelf, he gave it the name of York. He erected a fort in the mouth of the river Gambia, and then ſailing for Guinea, ſeized all the forts the Dutch had on that coaſt, except fort Achin and fort St. George de Mina, After this, he returned to England. Now, if it be conſidered, that Holms ſailed from England in May, or, at the lateſt, in June: that ſome time was required to equip this fleet, and that the parliament's addreſs was preſented to the king but the 27th of April, it will be eaſily perceived, that the war was reſolved in England before any complaints of depredations committed by the Dutch were repreſented to the parliament, and that theſe complaints were only pretences for the war. It muſt be obſerved, that not a ſingle Engliſh hiſtorian ſpeaks of the hoſtilities committed by Holms at Cape Verde and Guinea, long before any declaration of war [c]. 1664. Baſnage. D'Eſtrades. R. Coke. t. II. p. 135.

But what clearly ſhows, the king, ſince his reſtoration had ever intended this war, is, his conduct whilſt the treaty between France and the ſtates was negotiating at Paris: for he did his utmoſt to obſtruct it. The principal condition of that treaty conſiſted, in a reciprocal guaranty of what the two parties poſſeſſed, or ſhould afterwards lawfully acquire. In this general clauſe, the ſtates comprehended the article of the fiſhery, as an eſſential article, and the king of France made no objection to it. But Charles oppoſed it, and endeavoured to hinder the king of France from agreeing to that article. Lewis, in complaiſance to Charles, ſought expedients to ſatisfy him, by confining himſelf to a general guarantee, which ſhould include all without exception. But the ſtates refuſed to conclude the treaty, unleſs the article of the fiſhery was expreſly inſerted in the guaranty. Charles finding, the king of Franch would at laſt conſent, ordered count d'Eſtrades, the French ambaſſador at London, to be told, that he had reſolved to oblige the ſhips of all nations without exception, to ſtrike to his. But perceiving, the D'Eſtrades.

[c] King Charles II, the next year after his reſtoration, viz. 1661, ſent ſir Robert Holms with a ſquadron of men of war, and ſome ſoldiers to America, with which he reduced New York, and all that which the Dutch had taken from the Engliſh in Long Iſland, And from thence, ſir Robert Holms ſailed to Africa, and took Cape Verde, and ſome other places, where the Dutch had factories. Coke's detection, &c. t. II p. 135.——Echard ſays, only the Dutch ambaſſador complained of ſome hoſtile attempts of captain Holms on the coaſt of Guinea. Tom. III. p. 121.

1664. king of France, inſtead of being intimidated by this menace, anſwered it in a high ſtrain, he let him know, he would deſiſt from this pretenſion as to him, provided he would deſiſt from the guaranty of the fiſhery in favour of the Dutch. But Lewis, being ſenſible, the Dutch would never recede from that particular clauſe, agreed to it at laſt, and the treaty was concluded.

Hence it appears, that Charles was then ſeeking a quarrel with the Dutch, on the article of the fiſhery. But finding, France had expreſly engaged to be guaranty of it, he himſelf concluded, that very year, a treaty of alliance with the Dutch, in expectation of ſome other occaſion to begin a war with them.

This deſign was no longer deferred, than till the beginning of the year 1664, when a fleet was preparing in England, to act at Cape Verde, and in Guinea, under the command of Holms. Shortly after, ſome Engliſh merchants complained to the parliament of the horrible depredations of the Dutch. But it was never known wherein conſiſted the injuries received by the Engliſh. This extraordinary proceeding is a clear evidence, the court was in a good underſtanding with thoſe who complained to the parliament. For, naturally, and according to the uſual practice in ſuch caſes, they ſhould have firſt brought their complaints to the king, who ſhould have applied to the ſtates for redreſs, and, in caſe of refuſal, demanded the aſſiſtance of his parliament. But here the order was inverted. The parliament was firſt addreſſed to, who prayed the king to demand immediate reparation, and offered their aſſiſtance to carry on a war againſt the ſtates, before it was known, whether theſe complaints had any foundation, or whether the ſtates were inclinable to repair the pretended damages. All this demonſtrates, the war was reſolved, before the parliament was informed of the cauſes and grounds of it. For it was May before the king, by his ambaſſador Downing [f], demanded of the ſtates reparation for theſe pretended injuries.

What I have been ſaying, is farther confirmed by the ſpeaker's ſpeech to the king, at the prorogation of the par-

[f] Biſhop Burnet gives Downing this character. "He was a crafty fawning man, who was ready to turn to every ſide that was uppermoſt, and to betray thoſe, who by their former friendſhip and ſervices, thought they might depend on him. He had been Cromwell's ambaſſador in Holland, where he had offered perſonal affronts, both to the king and the duke. But he had, by Monk's recommendation, found means to get into favour." p. 198.——Count D'Eſtrades ſays, he was a pitiful, ſeditious fellow. Letter of January 24. 1664.

liament

liament, wherein he ſaid, the houſe, upon examination of the reaſons of the decay of trade, had found, that the Dutch, within a few years, had ſpoiled his ſubjects to the value of ſeven or eight hundred thouſand pounds, though Downing had not yet preſented his memorial to the ſtates, nor, conſequently, received any anſwer. 1664.

The 17th of May, the king coming to the parliament, the ſpeaker preſented the bills which were ready, and amongſt the reſt, one for empowering the king to levy the chimney money by his own officers, as he had deſired. This bill was afterwards the cauſe of great vexations, complaints, and murmurs, which obliged king William III. to drop the tax, though, as it was levied in the reigns of Charles II. and James II, it amounted to above two hundred and fifty ſix thouſand pounds a year. After the ſpeaker had mentioned this bill, he told the king: Acts. Echard. Statute-b.

"——Whilſt we were intent upon theſe weighty affairs, "we were often interrupted by petitions, and letters, and "motions, repreſenting the unſettled condition of ſome coun-"ties, by reaſon of fanaticks, ſectaries, and nonconfor-"miſts: they differ in their ſhapes and ſpecies, and accord-"ingly are more or leſs dangerous, but in this they all a-"gree, they are no friends to the eſtabliſhed government "either in church or ſtate, and if the old rule be true, qui "eccleſiæ contradicit non eſt pacificus, we have great rea-"ſon to prevent their growth, and to puniſh their practice. "To this purpoſe, we have prepared a bill againſt their fre-"quenting of conventicles, the ſeed-plots and nurſeries of "their opinions, under pretence of religious worſhip. The "firſt offence is made puniſhable with five pounds, or three "months impriſonment, and ten pounds for a peer: the ſe-"cond offence with ten pounds, or ſix months impriſon-"ment, and twenty pounds for a peer: but the third of-"fence, after a trial by a jury, and the trial of a peer by his "peers, the party convicted ſhall be tranſported to ſome fo-"reign plantation, unleſs he lays down an hundred pounds. "Immedicabile vulnus enſe reſcindendum ne pars ſincera "trahatur."—— The ſpeaker's ſpeech to the king. Echard. t. III, p. 118.

The preſbyterians were more numerous than all the other ſects together. Since the king's reſtoration, they had never been accuſed of an inſurrection againſt the government, or of entering into the plots of the anabaptiſts and republicans; and yet, by this act they were made liable to the ſame penalties as the other ſects; and, on pretence that their religious meetings were nurſeries of their opinions againſt the A reflection upon this act.

1664. government in church and ſtate, they deſerved to be tranſported to America, if they had the boldneſs to aſſemble three times. It ſeems, that by this extreme rigour, it was not ſo much deſigned to puniſh their pretended tranſgreſſions, as to drive them to deſpair, that they might render themſelves guilty indeed.

Prorogation of the parliament. Echard.

After paſſing theſe acts, the king prorogued the parliament to Auguſt, ſignifying withal, that it ſhould not meet till November, unleſs ſome affair obliged him to aſſemble it ſooner.

The king demands reparation of damages. Baſnage. Echard. III. p. 121. Phillips.

This affair was the Dutch war, which the king had reſolved. For that purpoſe, Downing preſented to the ſtates a memorial, drawn in very high terms, wherein he demanded, on the part of the king, reparation for the damages done to the Engliſh, which, by his calculation, amounted to ſeven or eight hundred thouſand pounds ſterling. After the moſt diligent ſearch, I have not been able to diſcover the particular articles of theſe damages, except the two ſhips beforementioned, and another article concerning the iſle of Poleron, of which I ſhall ſpeak hereafter. Wherefore, in imitation of the Engliſh hiſtorians, I am forced to leave the reader in the dark, with regard to the particulars of the damages on which the war was founded.

An ambaſſador ſent from the ſtates.

The king was bent on a war at any rate, whilſt the ſtates uſed all poſſible endeavours to avoid it. Nevertheleſs, not judging it proper to treat with Downing, who behaved to them with great haughtineſs, they ſaid in anſwer to his memorial, that they would ſend an ambaſſador to the king.

D'Eſtrades. Kennet. Echard. III. p. 121.

Accordingly, they diſpatched Van Goch, who had his firſt audience of the king the 25th of June. As he was ſpeaking, at this audience, of the trade of Africa and the Weſt Indies, the king interrupted him, and ſaid, it was not to be ſuffered, that the Dutch Weſt India company ſhould pretend, by means of three or four ſhips, and a few forts on the coaſt of Guinea, to exclude other nations from that commerce. The ambaſſador anſwered, the difficulties about that affair were terminated by the laſt treaty, and it ought to be examined, whether the Dutch had acted contrary to it. Afterwards, the ſtates being informed of the hoſtilities committed by Holmes at Cape Verde, and in Guinea, their ambaſſador complained to the king, who anſwered, he had not the leaſt knowledge thereof. Some days after, the ambaſſador preſented a large memorial on that ſubject, with a freſh complaint, that the king had forbid the importation of Dutch commodities into England. The king gave the

p. 122.

D'Eſtrades.

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ſame anſwer, as before, to the firſt article of the memorial, that he had no knowledge of what was acting by Holms; and to the ſecond, that the prohibition of commodities was upon the account of the plague then reigning in Holland. It appeared afterwards, that the king pretended, the affair of Cape Verde and Guinea did not concern him, but was a private difference between the Engliſh and Dutch companies, and therefore it had not been neceſſary to inform him of it. But it will hardly be conceived, that the duke of York, as governor of the royal African company, ſhould ſend a fleet of twenty one men of war to Guinea without the king's knowledge. 1664.

Preparations for war.

While Downing at the Hague and Van Goch at London, fruitleſsly preſented memorials upon memorials, the king was diligently equipping his fleet. As he wanted money [g], he borrowed one hundred thouſand pounds of the city of London, who willingly lent him that ſum, in the belief that he intended only the good of the Engliſh trade, by the deſtruction of that of Holland. The ſtates, on their ſide, prepared for their defence, but not with the ſame vigour that their enemies were preparing to attack them. Their deſign was to gain time, in hopes, their fleets of merchantmen would return before the declaration of war; and the king's intention was to intercept thoſe fleets before the publiſhing of any declaration.

The city of London lends the king money. Echard. III. p. 121. Kennet.

The Engliſh intercept the Dutch merchant men returning from Bourdeaux before the war was declared.

The king diſcovered his deſign in a manner not to be miſtaken. For ſending his fleets to ſea, under the command of the duke of York, as high admiral [h], the fleet met, in November, with the Dutch Bourdeaux fleet, homeward bound, laden with wine and brandy, and took one hundred and thirty ſhips, which were brought into England, and condemned for lawful prizes, though no war had yet been proclaimed. It is needleſs to reflect on the king's conduct, or on the judgment of the Engliſh admiralty. Every unprejudiced perſon will eaſily believe, that the law of nations was never more unjuſtly, or more manifeſtly violated. In vain do ſome hiſtorians endeavour to palliate this action with two reaſons, which diſcover by their weakneſs, how much they themſelves were perſuaded of the reality of the injuſtice. The firſt is, that about the ſame time, Ruyter diſpoſſeſſed the Engliſh of their factories at Cape Verde, and on the coaſt

A reflection upon this procedure. Baſnage. Echard. III. p. 122. Kennet.

[g] Though he had received, in the four firſt years of his reign, no leſs than two millions, eight hundred and ſixty thouſand pounds, according to R. Coke's computation. Tom. 2. p. 137.

[h] This fleet conſiſted of fifteen men of war. Kennet's hiſt. tom. 3. p. 271.

1664. of Guinea. But, firſt, they take no notice, that theſe factories were mere uſurpations of the Engliſh, who had the ſame year diſpoſſeſſed the Dutch of them. Secondly, Ruyter did not recover the forts at Cape Verde, and on the coaſt of Guinea, till the following year 1665. For it muſt be conſidered, that Holms committed his hoſtilities at Cape Verde, in the months of Auguſt and September, and afterwards ſailed to the coaſt of Guinea, where he ſeized ſeveral forts. This news muſt therefore be brought to Holland, the ſtates muſt ſend to Ruyter in the Mediterranean to repaſs the ſtreights, and ſail to Cape Verde, and laſtly, Ruyter muſt execute his orders, and the news of his expedition be carried to England. Now, if all this cannot be effected within the ſpace of ſix weeks, how is it poſſible to juſtify the taking of the Bourdeaux fleet in November, on account of Ruyter's expedition to Cape Verde and Guinea, three months after? The ſecond reaſon is, that the war was not the project of the king, but the voice of the people and parliament; as if, even on this ſuppoſition, the people and parliament were leſs obliged than the king to obſerve the law of nations. But this was not the only fault of that nature committed by Charles II. through a deſire of money.

Charles refuſes the French king's mediation. D'Eſtrades. Echard, III. p. 122.

Mean time, the king of France apprehending he ſhould at laſt be involved in the war by aſſiſting the ſtates, purſuant to the treaty of 1662, believed it incumbent upon him to uſe ſome endeavours to prevent it, and to that end offered his mediation to the two parties. The ſtates willingly accepted it, but it was rejected by Charles, who ſaid, he would enter into no negotiation till he had received entire ſatisfaction on his demands. He had now ſent ſir Richard Fanſhaw to Spain, and the lord Holles to France, to endeavour to engage theſe two crowns in a war with the Dutch. But he ſucceeded neither at Paris nor Madrid. Nevertheleſs, he perſiſted in his reſolution, to make war, though he had no other reaſon to alledge for it than the pretended depredations committed by the Dutch upon the Engliſh, the particulars of which were never known to this day,

p. 119, 120. J. Phillips.

Conjecture upon the grounds of this war. Burnet.

When it is conſidered, with what animoſity this war was undertaken and purſued, not only by the king, the duke of York, and the miniſtry, but even by the parliament, one can hardly help thinking, that they who excited this animoſity, had ſome other ſecret end than that of ſupporting trade. But hitherto, conjectures only have been offered on this ſubject. Some ſay, the war ought to be aſcribed to the duke of York's ambition, who was impatient to diſtinguiſh himſelf,

ſelf, by commanding, as lord high admiral, the king his brother's fleet. Others believe, the king finding his coffers empty, notwithſtanding all the money given him by parliament and that raiſed by the ſale of Dunkirk, engaged by his intrigues the parliament to propoſe this war to him, to have a pretence of demanding extraordinary ſupplies which ſhould, not be all expended in the war. There are others who believe, the king, the parliament, the city of London, found this war abſolutely neceſſary to humble the maritime power of the Dutch, who aimed to engroſs the whole commerce of Europe, as they had already done that of the Indies: that though the cauſes of the war were never fully made known, every one underſtood, it was a war occaſioned by the jealouſy of trade. Laſtly, there are who ſuſpect, that the project to introduce popery into England being now formed, the execution of it was only ſuſpended till the Dutch were rendered unable to ſuccour the Engliſh proteſtants, ſince it was only from them that they could receive aſſiſtance. I ſhall not take upon me to determine what were the ſecret motives of this war, which certainly was undertaken on very ſlight grounds, as will hereafter more fully appear [i].

1664. Echard. Burnet.

The parliament meeting the 24th of November, after two prorogations, the king made a ſpeech to both houſes upon the preſent affair, namely, the war with the ſtates general. He ſaid, that upon the ſtock of his own credit he had ſet out a fleet, not inferior to any, England had ever ſeen, and which had coſt him eight hundred thouſand pounds. All this tended to demand of the commons a proportionable ſupply. He then added.

The king's ſpeech to the parliament for money. Echard.

"——I know not whether it will be worth my pains "to endeavour to remove a vile jealouſy which ſome ill men

[i] Burnet ſays, he was very poſitively aſſured by ſtateſmen of both ſides, that the French ſet this war on in a very artificial manner; for while they encouraged us to inſiſt on ſome extravagant demands, they at the ſame time preſſed the Dutch not to yield to them; and as they put them in hopes that if a rupture ſhould follow, they would aſſiſt them according to their alliance, ſo they aſſured us, that they would do us no hurt.——There was no viſible cauſe of war.——France and popery were the true ſprings of theſe counſels. It was the intereſt of the king of France, that the ſtates ſhould be in no condition to make a vigorous reſiſtance, when he ſhould be ready, either to invade them, or fall into Flanders.——The French did thus ſet on the war between the Engliſh and Dutch, hoping that our fleets ſhould mutually weaken one another ſo much, that the naval forces of France, which was increaſing very conſiderably, ſhould be near an equality to them, when they ſhould be ſhattered by a war. The ſtates was likewiſe the greateſt ſtrength of the proteſtant intereſt, and were therefore to be humbled. p. 198, 199.

"ſcatter

1664. "ſcatter abroad, and which I am ſure will never ſink into "the breaſt of any man who is worthy to ſit upon your "benches: that when you have given me a noble and pro- "portionable ſupply for the ſupport of the war, I may be "induced by ſome evil counſellors (for they will be thought "to think very reſpectfully of my own perſon) to make a "ſudden peace, and get all that money for my own private "occaſions. I am ſure you all think it an unworthy jea- "louſy, and not to deſerve an anſwer. I would not be "thought to have ſo brutiſh an inclination to love war for "war's ſake. God knows, I deſire no bleſſing in the world "ſo much, as that I may live to ſee a firm peace between "all chriſtian princes and ſtates. But let me tell you, "and you may be confident of it, that when I am com- "pelled to enter into a war, for the protection, honour, "and benefit of my ſubjects, I will, God willing, not make "a peace, but upon the obtaining and ſecuring thoſe ends for "which the war is entered into: and when that can be "done, no good man will be ſorry for the determination of "it.——"

It will be ſeen hereafter, how the king diſcharged his promiſe in this ſpeech. After he had done, he farther declared to them, that he did intend the lord chancellor ſhould have made "a narrative concerning the treaty and manner "of proceeding with the Dutch;" but the chancellor being laid up with the gout [k], he had ordered the narrative to be put into writing, which was delivered to both houſes.

The parliament thanks the city of London. Echard.

It will be eaſily imagined, the narrative contained only what ſhould inflame the parliament. But the hiſtorians have not been pleaſed to relate the contents, perhaps for want of knowing them. Be this as it will, the king found the parliament ſo well diſpoſed in his favour, that the two houſes, by ſix lords and twelve commoners, ſent their thanks to the city of London for their loan to the king. A few days after, the commons voted the king a ſupply of two millions five hundred thouſand pounds, towards the maintenance of a war ſo neceſſary to the ſtate; and in leſs than three weeks, ways and means were found for raiſing that ſum in three years; after which both houſes adjourned to the 12th of January.

Votes a large ſupply to the king, and adjourns itſelf. Echard. Kennet.

[k] It is very probable, as Echard obſerves, that his diſtemper was more political than real; for he was utterly againſt this war, as was alſo the earl of Southampton. Tom. 3. p. 125.

Imme-

Immediately after, the king publiſhed a declaration, by which general repriſals were granted againſt the ſhips, goods, and ſubjects of the ſtates general, and the court of admiralty ordered to condemn them as prizes according to the courſe of admiralty and law of nations. This declaration was founded upon the grievous damages and inſults done to the Engliſh, but without ſpecifying one article. 1664. A declaration concerning letters of mart againſt the Dutch. Echard.

When the Bourdeaux fleet had been ſeized and condemned, the Engliſh took all the Dutch ſhips they met, though the war was not yet proclaimed. But it was much worſe ſince the declaration for general repriſals had been publiſhed. The Engliſh take a great many Dutch veſſels. Kennet. Rapin.

When the ſtates were informed of the hoſtilities committed by Holms at Cape Verde and in Guinea, they ſent an expreſs to Ruyter, to order him to repaſs the ſtreights, and ſail towards theſe coaſts, to recover what the Dutch Weſt India company had loſt. Ruyter executed this order with great vigour, and retook moſt of the forts ſeized by the Engliſh. He likewiſe took ſeveral of their ſhips. This news reached London the beginning of February, and furniſhed the king with a new pretence for the declaration of war, which was publiſhed in a few days. Ruyter recovers the places taken from the Dutch at Cape Verde and Guinea.

The parliament meeting the 12th of January, the houſe of commons proceeded immediately to the money bill, as the moſt preſſing affair. The bill being ready, the king came to the houſe to give his aſſent, after which, war was formally declared againſt the ſtates general. The declaration was founded upon the numberleſs injuries and unſpeakable damages, the Engliſh had ſuffered from the Dutch, without being able to obtain the leaſt reparation. The king added, that the ſhips belonging to the Dutch were not detained by him, till he found that Ruyter was ordered not only to abandon the conſortſhip againſt the Algerines, to which he had been invited by the ſtates, but alſo to uſe all acts of depredation againſt his ſubjects in Africa. He therefore declared to all the world, that the Dutch were the aggreſſors, and ought in juſtice to be ſo looked upon by all men. The money bill is paſſed. Echard. Kennet.

What is very aſtoniſhing in this declaration is, that the king did not even take care to preſerve appearances, as if his ſubjects and all Europe had been void of common ſenſe, or it was not known that the fleet from Bourdeaux had been intercepted in November, before Ruyter had reached Guinea. He pretended, that all the world muſt be ignorant, becauſe he himſelf feigned not to know, that Holms had be- A remark upon this declaration.

1664. gun hoſtilities at Cape Verde and in Guinea in Auguſt and September. In ſhort, he would have all the world, believe on his bare word, that the Engliſh had ſuffered grievous damages, without his vouchſafing to ſpecify one ſingle injury. This declaration was approved of by twenty two privy counſellors only, the earls of Southampton and Clarendon having been either unable, or unwilling to be preſent when it was reſolved. It was dated the 22d of February, but was not publiſhed till the 2d of March.

Kennet, p. 272. Echard.

The parliament prorogued.

The king having notice that ſome bills were ready for the royal aſſent, came to the parliament the 2d of March, and after paſſing the bills, which were of no great importance, he prorogued the parliament to the 21ſt of June. Afterwards, he continued the prorogation to the 1ſt of Auguſt, and then to the 9th of October.

The clergy give up their right of taxing themſelves. Burnet. Echard.

In this ſeſſion the clergy voluntarily reſigned their right of taxing themſelves in convocation, and from this time have been taxed in common with the people in parliament. This has made convocations leſs neceſſary to the king, and conſequently leſs conſiderable in themſelves [1].

1665. Echard. Kennet.

The war being declared, the duke of York, in the end of March, repaired to the fleet which he was to command, conſiſting of one hundred and ſeven men of war, and fourteen fire ſhips. But as the fleet was not yet ready, he could not ſail till May.

The king of France's conduct with regard to the war between England and Holland. D'Eſtrades.

Some time ſince, the ſtates, perceiving a war unavoidable had preſſed the king of France to declare againſt England, purſuant to the treaty of 1662, but had not yet prevailed. Charles on his ſide ſollicited him to abandon the ſtates, and allured him with very tempting advantages. So, Lewis was not a little embaraſſed. He was deſirous to keep fair with the king of England, whom, he foreſaw, he might

1 It being found, by experience, that their whole ſubſidies were inconſiderable, and yet unequally heavy on the clergy, it was reſolved on hereafter, to tax the church benefices, as temporal eſtates were taxed; which proved indeed a lighter burden, but was not ſo honourable as when it was given by themſelves. Yet intereſt prevailing above the point of honour, they acquieſced in it. So the convocations being no more neceſſary to the crown, this made that there was leſs regard had to them afterwards. They were often diſcontinued and prorogued; and when they met, it was only for form. Burnet, p. 197.——The cuſtom of the clergy's taxing themſelves was broken during the late troubles. For then the clergy, either out of voluntary compliance, affectation of popularity, or becauſe they wanted proxies, to repreſent their body, had their benefices taxed with the laity. This the court found, after the reſtoration, to be an eaſier thing, than to have two bodies of men to pleaſe. And therefore intended to deprive the clergy of that right, if they had not voluntarily relinquiſhed it.

want;

want; and, on the other hand, if he abandoned the ſtates, there was danger of their being overcome, and of penſionary De Wit loſing all his credit. This could not happen, without a change of the government, the re-eſtabliſhment of the young prince of Orange, and the king of England's being in effect maſter in Holland. It was through the ſole influence of the penſionary that the ſtates were attached to the intereſts of France, and conſequently his fall could not but be extremely prejudicial to that kingdom. The courſe therefore which Lewis took on this occaſion, was to gain time, one while by cavilling at the terms of the treaty of 1662, another while, by giving hopes to the ſtates of his declaring againſt England, and laſtly, by a ſplendid embaſſy to London, with the duke of Verneuil at the head of it, to mediate a peace between England and Holland. In order to know his ſituation, let us hear what he ſays himſelf in a letter to count d'Eſtrades his ambaſſador at the Hague, dated the 19th of December 1664.——"However, I own, "I am a little embarraſſed, conſidering, if I literally exe- "cute the treaty of 1662, I ſhall very much prejudice my "principal intereſt, and this, in favour of a nation, which "not only will never be ſerviceable to me, but which I "ſhall find oppoſite in the only caſe where I ſhould want "them, and then, the aſſiſtance I ſhall have given them, "will turn againſt me. Beſides this, I loſe England, which "is upon the point of concluding a ſtrict alliance with Spain, "in caſe I reject her offers, and theſe offers, for I may truſt "you with the ſecret, are a carte blanche in every thing I "can deſire for the Netherlands, without one inch of land "expected for England. Beſides the king of England him- "ſelf ſuggeſts to me, how to avoid with honour aſſiſting "the Dutch. He pretends, they are the aggreſſors: that "he has a right to the forts, they have ſeized in Guinea: "that they firſt armed: that they have made a national "quarrel for a private diſpute between two companies, which "they ſhould have been ſuffered to decide: that they com- "mitted the firſt act of violence in ill treating one of his "ſhips laden with maſts from Sweden. That however, I "am only engaged for what paſſes in Europe, that it is vi- "ſible all the differences, except that of Guinea, are eaſy "to be adjuſted. That it is not reaſonable, their capricious "obſtinacy to maintain a country for which I am not en- "gaged, ſhould kindle a war in theſe parts, becauſe as I am "not obliged for the principal, I cannot be ſo for the ac- "ceſſions and dependencies. I omit how I was ſerved by the

1665.

His letter to the count d'Eſtrades.

1665. "the ſtates at Munſter, &c. What I now write muſt be a "ſecret."

Reflections upon this letter.

I cannot forbear making ſome remarks on this letter.

Firſt it ſhows, the king of France did not excite the war between England and Holland, as moſt of the Engliſh hiſtorians pretend.

Secondly, if Charles had really intended the welfare of his kingdom in undertaking this war, he would not have offered the king of France a carte blanche for the Netherlands, in order to accompliſh the deſtruction of Holland. This was a thing directly contrary to the intereſts of England, and very different from the ſatisfaction demanded for the injuries, his ſubjects might have received from the Dutch.

Thirdly, in what Charles alledged to Lewis, there appears no proof, that the Dutch were the aggreſſors, nor any thing of the pretended damages of eight hundred thouſand pounds: but that the principal point in diſpute was the propriety of ſome forts on the coaſt of Guinea, which according to him, was an affair between the two companies, and that the reſt was eaſy to be adjuſted.

Fourthly, Charles ſuppoſes the ſtates to have made it a national quarrel, by ſending Ruyter to Guinea; but that he had not concerned himſelf with the affair, becauſe Lawſon had been ſent with twenty one ſail, in the name of the duke of York, and the royal African company.

Laſtly, the ſtates had no reaſon to expect much aſſiſtance from France, unleſs the chance of war ſhould render it neceſſary for them, or the king of France find ſome conſiderable advantage in eſpouſing their quarrel.

It was therefore to gain time that the embaſſy was ſent to London, becauſe Lewis pretended, that as long as there was any hope of an accommodation, he was not obliged to declare againſt England. Now whilſt his ambaſſadors were at London, he could ſay, that the hope of a reconciliation was not entirely deſperate. He managed ſo artfully, that he kept them there till the end of the year 1665, declared not againſt England till January 1666, and his declaration was of little ſervice to the ſtates.

The duke of York ſails out with the Engliſh fleet Kennet. Echard.

The duke of York ſailed with the Engliſh fleet in May, and before the Dutch could be ready, alarmed the coaſts of Holland. He continued a fortnight near the Texel, to prevent the fleet of Holland from joining that of Zealand, in which he could not fail of ſucceſs. In the mean time, he took ſeveral Dutch homeward bound ſhips, who had not been

been informed of the war. However, as the war was not made only to hinder this junction, the duke at laſt ſailed away with deſign to meet Ruyter, who was returning to Holland by order of the ſtates. But finding, his proviſions were conſumed upon an uncertain expectation, he retired with his fleet to Harwich, contenting himſelf with ſending ſome frigates to cruiſe in the channel, and bring him intelligence of the enemy [m]. 1665.

Mean while, the Holland and Zealand ſquadrons joined and formed a fleet of one hundred and twenty one men of war, beſides fire ſhips, under the command of Obdam de Waſſenaer. He had under him Cortenaer vice admiral of the Maeſe, Evertzen vice admiral of Zealand, and Cornelius Tromp ſon of the famous Martin Tromp. The rear admirals and captains were very far from anſwering to their ſuperiors in capacity, more care having been taken to fill theſe poſts with the relations and friends of thoſe, whom the penſionary wanted to preſerve his credit, than with experienced officers. So, except fifteen or ſixteen captains, the reſt were unexperienced. This is a misfortune to which republicks are more liable than monarchies. Though De Wit managed the affairs as he pleaſed, he had for enemies all the party of the houſe of Orange, who were ſpies upon his conduct, and miſrepreſented all his proceedings, in order to ruin him. The penſionary was not ignorant of it, and therefore believed, the only way to ſecure himſelf, and preſerve his authority, was to hazard a ſea engagement. Succeſs would diſarm the malice of his enemies, and the loſs of a battle would of courſe oblige the French to execute the treaty of 1662, and ſilence the complaints and murmurs of the Orange party, who induſtriouſly publiſhed, that Lewis only amuſed the ſtates. Agreeably to this reſolution, which the penſionary cauſed the ſtates to approve, an order was ſent to Obdam, to go in queſt of the enemy. He obeyed, and came in ſight of them the 1ſt of June, not far from Harwich. But the wind being ſoutherly, and the next morning ſouth-weſt, he retired to the mouth of the Maeſe. He acquainted the ſtates by an expreſs, with the reaſon of his retreat, and that he did not think proper to attack the Engliſh while they had the advantage of the wind. But he received ſtill more poſitive orders to fight let the wind be as it

The fleet of the ſtates. Baſnage. Kennet. Echard.

Put under the command of Obdam.

Who receives orders to fight. Baſnage.

[m] By the duke's retiring from the coaſt of Holland, the enemy took the advantage of intercepting the Engliſh Hamburgh fleet. Echard, tom. 3. p. 134.

would,

1665. would, on peril of anſwering it with his head. After ſo expreſs an order, there being no way to recede, he weighed anchor at break of day, and within an hour diſcovered the Engliſh fleet divided into three ſquadrons. The firſt under the red flag, was commanded by the duke of York, aſſiſted by Penn and Lawſon. The ſecond being the white ſquadron, was conducted by prince Rupert, aſſiſted by Minnes and Sampſon. The third which was the blue ſquadron, was commanded by the earl of Sandwich, who had with him Cuttings, and ſir George Aſcough.

Echard, III. p. 133.

Sea fight gained by the Engliſh. Death of Obdam. Baſnage. Echard. Kennet. J. Phillips.

I ſhall not pretend to deſcribe this engagement, fought the 3d of June, for which I own myſelf unqualified. I ſhall therefore only ſay, the Dutch fleet was overthrown, chiefly by the ill conduct of ſeveral captains who were wanting in their duty; by the death of Obdam, who with his ſhip and all his men were blown up; by the loſs of Cortenaer who was killed upon the deck after hoiſting the admiral flag, and by many other cauſes which are ſcarce intelligible but to thoſe who are verſed in ſea affairs. The Dutch loſt nineteen ſhips burnt and ſunk, with about ſix thouſand men [n]. On the Engliſh ſide, the loſs was only of four ſhips, and about fifteen hundred men, among whom were Charles Berkley earl of Falmouth, admiral Sampſon, James Ley earl of Marlborough, and vice admiral Lawſon, who died ſhortly after of his wounds [o]. The remains of the Dutch fleet retired to the Maeſe or the Texel, and were purſued all the next day being Sunday, though, according to ſome, the duke of York did not in the purſuit, diſcover the ſame ardour he had ſhown in the battle. See what doctor Burnet biſhop of Saliſbury ſays of it in his poſthumous hiſtory of his own times.

Burnet, p. 218.

That famous hiſtorian ſays, "After the fight, a council of war was called to concert the method of action "when they ſhould come up with them. In that council, "Penn, who commanded under the duke, happened to "ſay, that they muſt prepare for hotter work in the next "engagement. He knew well the courage of the Dutch

[n] Our hiſtorians ſay, that we loſt but one ſhip; and that the Engliſh took eighteen Dutch men of war, and ſunk and fired about fourteen more. They alſo took two thouſand ſixty three priſoners, whereof ſixteen were captains. See Burchett, p. 398. Echard, tom. 3. p. 134.

[o] And likewiſe the lord Muſkerry, and mr. Boyle, the earl of Burlington's ſecond ſon, theſe two, with the lord Falmouth, were killed with the ſame cannon ball, juſt by the duke of York, and ſo near him, that he was ſprinkled with their blood and brains. The earl of Portland was likewiſe killed. Burchett, p. 398.

"was

"was never ſo high as when they were deſperate. The 1665.
"earl of Montague, who was then a volunteer, and one of
"the duke's court, ſaid to me, it was very viſible that made
"an impreſſion: and all the duke's domeſticks ſaid, he had
"got honour enough: why ſhould he venture a ſecond
"time? The dutcheſs had alſo given a ſtrict charge to all
"the duke's ſervants to do all they could to hinder him to
"engage too far. When matters were ſettled, they went
"to ſleep; and the duke ordered a call to be given him
"when they ſhould get up to the Dutch fleet. It is not
"known what paſſed between the duke and Brounker, who
"was of his bed chamber, and was then in waiting; but
"he came to Penn as from the duke, and ſaid, the duke
"ordered the ſail to be ſlackened. Penn was ſtruck with
"the order, but did not go to argue the matter with the
"duke himſelf, as he ought to have done, but obeyed it.
"When the duke had ſlept, he upon his waking went
"out upon the quarter deck, and ſeemed amazed to ſee
"the ſails ſlackened, and that thereby all hope of over-
"taking the Dutch was loſt. He queſtioned Penn upon it.
"Penn put it on Brounker, who ſaid nothing. The duke
"denied he had given any ſuch order. But he neither pu-
"niſhed Brounker for carrying it, nor Penn for obeying
"it. He indeed put Brounker out of his ſervice, and it
"was ſaid, that he durſt do no more, becauſe he was ſo
"much in the king's favour and in the miſtreſs's. Penn
"was more in his favour after that than ever before, which
"he continued to his ſon after him, though a quaker. And
"it was thought, that all that favour was to oblige him to
"keep the ſecret. Lord Montague did believe, that the
"duke was ſtruck, ſeeing the earl of Falmouth the king's
"favourite, and two other perſons of quality killed very
"near him, and that he had no mind to engage again, and
"that Penn was privately with him. If Brounker was ſo
"much in fault as he ſeemed to be, it was thought the
"duke, in the paſſion that this muſt have raiſed in him,
"would have proceeded to greater extremities, and not have
"acted with ſo much phlegm."

The duke of York ſeeing, it was in vain to continue the purſuit, retired to the coaſts of England, and repaired to Whitehall to receive the acclamations of the court and city of London. The king appointed a day of thank'giving throughout the kingdom for the victory, and ſeveral medals were ſtruck in honour of the victorious duke of York, who was

Echard, III. p. 135.

Medals ſtruck in honour of the duke of York.

Evelyn's memoirs.

1665. was now in a very agreeable ſituation p. For beſides that he was lord high admiral, governor of the cinque ports, and of Portſmouth, and had the benefit of the poſt office, and the wine licences, all which enabled him to keep a ſplendid court, he had ſtill a much more conſiderable advantage. He begun to be conſidered as heir to the crown, the king his brother having no children by his queen. This attached many to him, and particularly the papiſts, who knew his religion, though he yet concealed it as well as the king.

The queen mother returns to France. Echard.

Shortly after, the queen mother having reſolved to paſs the reſidue of her days in France, the king and the duke of York attended her in the Catherine yatch to the Nore, and there took their laſt leave of her. It is very likely, ſhe was not pleaſed with having ſo ſmall a ſhare in the publick affairs, having been uſed to the contrary in the reign of the king her huſband.

The Engliſh fleet put under the command of the earl of Sandwich, July. Echard. Burchett.

However glorious this firſt ſea fight of the duke of York might be, the king and council did not think it proper he ſhould venture his perſon in a ſecond engagement. Therefore the command of the fleet was given to Edward Montague earl of Sandwich q, who uſed his utmoſt endeavours to prepare it for the ſea as ſoon as poſſible, in order to prevent that of the ſtates, which was repairing with all poſſible diligence. Beſides, the ſtates, having appointed Ruyter to ſucceed Obdam, ordered him to return immediately with the fleet, conſiſting of ſeventeen men of war. The diligence uſed by the ſtates to repair their fleet, was not ſo much to be revenged of the Engliſh, as to ſecure their merchant men homeward bound from Smyrna and the Eaſt Indies. The Engliſh, on their ſide were leſs deſirous to fight than to ſeize the riches which thoſe fleets were bringing to Holland.

and that of the Dutch under Ruyter.

p One of theſe medals had on one ſide, the duke's effigy in buſt, clad in a Roman mantle, with theſe words round it, JACOBUS DUX EBOR. & ALBAN. DOMIN. MAGN. ADMIRALIUS. ANGLIÆ, &c. The reverſe repreſented the admiral and whole fleet in an engagement, with theſe words, NEC MINOR IN TERRIS. June ih. MDCLXV. Another had on one ſide, the duke id buſt, ſhort hair, &c. with this inſcription, JACOBUS DUX EBOR. & ALBAN. FRATER AUGUSTISSIMI CAROLI II. REGIS. The reverſe, a trophy, and ſhips engaged, with theſe words, GENUS ANTIQUUM. See Evelyn's numiſmata.

q Sir George Aſcough was vice admiral under him, and ſir Thomas Tyddeman rear admiral. Of the white, ſir William Penn was admiral, ſir William Berkley vice admiral, and ſir Joſeph Jordan rear admiral. And the blue flag was carried by ſir Thomas Allen, whoſe flag officers were, ſir Chriſtopher Minnes, and ſir John Harman. Burchett, p. 398.

It

It happened, in the mean time, that the Dutch Smyrna fleet, and ſeveral Eaſt India ſhips not daring to enter the Channel, retired to the port of Berghen in Norway, waiting for Ruyter to convoy them to Holland. Mean while, the king of Denmark, diſcourſing one day with ſir Gilbert Talbot, the Engliſh envoy, made great complaints of the Dutch, who, he ſaid had drawn the Swediſh war on him, that he might be forced to have recourſe to them for ſupplies of money and ſhips, and deliver to them the cuſtoms of Norway and the Sound for their ſecurity. Upon this the envoy told him, he had now a good opportunity of being revenged, by the ſeizure of their ſhips at Bergen, worth many millions. But the king anſwering, he wanted ſtrength to execute ſuch a deſign, the envoy told him, he doubted not but the king of England would lend him his ſhips, provided he was aſſured of equal partaking of the ſpoil; to which the king of Denmark conſented. The king of England was pleaſed with Talbot's project, and ſent orders to the earl of Sandwich to ſail immediately and ſeize the Dutch ſhips at Berghen. The admiral readily obeyed, though he had received no intimation of the agreement between the two kings.

1665.

Several Dutch ſhips retire to Berghen in Norway. Burnet, p. 222. Arlington's letters. Echard, III. p. 137. Burchett.

The kings of England and Denmark attempt to ſeize them.

To effect this deſign, it was abſolutely neceſſary to inform the viceroy of Norway, and the governor of Berghen of it, that they might favour it, in feigning to protect the Dutch ſhips, the king of Denmark being unwilling to appear openly. Nor was it leſs neceſſary to acquaint the earl of Sandwich with it, to prepare him againſt the noiſe and complaints of the governor of Berghen, on account of the attempt and violence of the Engliſh. But ſeveral accidents ruined this affair. The governor of Berghen, who was to receive orders from the viceroy of Norway, was not informed ſoon enough. On the other hand, Talbot's expreſs, ſent from Copenhagen to the Engliſh fleet, was taken by the Dutch. In fine, the earl of Sandwich hearing, Ruyter was ſhortly expected, and being deſirous to perform the deed before his arrival, detached the ſquadron commanded by ſir Thomas Tyddeman, who attacked the Dutch with great reſolution. But they had now time to put themſelves in a poſture of defence. On the other hand, the governor of Berghen, who had not yet received any particular directions how to behave, ſeeing this open hoſtility, and obſerving that the ſhot from the Engliſh damaged the town, fired upon them from the citadel. In a word, this ſquadron was almoſt entirely ruined, and obliged to return to the fleet.

The project miſcarries.

Aug. 3. But are diſappointed.

1665. The next day, the 4th of Auguſt, orders came to the governor of Berghen, but it was too late. It appeared, the king was not pleaſed with the earl of Sandwich's conduct, ſince, inſtead of continuing him in the command of the fleet, he ſent him ambaſſador to the court of Spain.

Ruyter arrives in Holland.

Baſnage. Echard. Kennet.

Mean while, Ruyter arriving in Holland with many Engliſh prizes, took the oath to the ſtates as vice admiral general, after which he took the command of the fleet conſiſting of ninety three ſhips well equipped. But though he bore the title of admiral, three commiſſioners attended him, namely, De Wit the penſionary, Huygens, and Borreel, who had properly the command. The grand deſign of theſe commiſſioners was to meet the India fleet, which was to ſail round Ireland, to avoid entering into the channel. But the wind was ſo contrary, that the fleet would not have got ſoon enough out of the Texel, if the penſionary, who underſtood ſea affairs very well, had not by ſounding it himſelf all over very carefully, found more ways to get out by different winds, than was thought formerly practicable [r]. So the fleet at laſt, ſailed out, and appeared before Berghen, where the commiſſioners gave their orders for convoying the merchant men which were in that port. But it was not in their power to prevent a ſtorm, which diſperſed them, and threw twenty of them into the hands of the Engliſh [s]. This ſtorm obliged Ruyter and the commiſſioners to return to Holland, with their fleet very much damaged.

Burnet, p. 221.

Brings the ſhips from Berghen.

A great plague in London. Skinner. Baynard. Kennet.

In the mean time, the plague raged dreadfully in London, where it firſt appeared about the middle of May. It is ſaid, that in leſs than a year, it ſwept away, in that ſingle city, above a hundred thouſand perſons [t]. The king at firſt retired to Hampton Court, but afterwards, to be farther from London, reſided at Saliſbury.

Deſigns of the republicans. Ludlow, III. p. 166, &c. Burnet, p. 226.

It appears, that this year, the republicans had projected an inſurrection, and were even encouraged by emiſſaries from the ſtates general, who would have been glad to employ the king at home in domeſtick troubles. But this was a bare project, which ſerved only to furniſh the enemies of the nonconformiſts with an opportunity to magnify the danger with which the kingdom was threatened from the enemies of the

Made a handle to injure the preſbyterians.

r It is ſaid, he got the ſhips out, by faſtening empty caſks under water to the ſides of the ſhips, which helped to buoy them up.

s Together with twelve men of war, and two Eaſt India ſhips. Echard, tom. III. p. 141.

t There died of it ſixty eight thouſand five hundred and ninety ſix perſons, Strype's contin. of Stow's ſurvey, B. I. p. 226.

church

church in general, and to include, in that number, the preſbyterians, though they were not concerned in the republican projects. 1665.

It was not only againſt England that the ſtates general had to defend themſelves. Charles had raiſed them another enemy who had no leſs embaraſſed them. This was the famous Bernard Van Ghalen, biſhop of Munſter, who, upon very ſlight pretences, entered the province of Overyſſel at the head of an army paid by the Engliſh. He made himſelf maſter of a great many ſmall places, and then attempted to ſurpriſe Groningen, but was repulſed. At laſt, before the end of the campaign, the king of France, and the dukes of Lunenburgh having ſent a powerful aſſiſtance to the ſtates, the biſhop was forced to relinquiſh his great projects, and think of a peace, eſpecially as the money promiſed by the king of England was not regularly paid. The biſhop of Munſter falls upon the Dutch. Temple's letter. J. Phillips.

The parliament, which had been prorogued to the 9th of October, met on the day appointed, but at Oxford, on account of the plague which ſtill raged in London, whereas it did not much infeſt other parts of the kingdom. In his ſpeech to both houſes, the king told them, the ſupply of two millions five hundred thouſand pounds granted him for carrying on the war, was already ſpent. He inſiſted particularly on the great ſums paid to the biſhop of Munſter, for making a diverſion in the bowels of his enemies country, though it appears in ſir William Temple's letters, that theſe ſums were never well paid. The parliament meets at Oxford. The king's ſpeech. Kennet. Echard.

After the king had done ſpeaking, the chancellor, by his order, enlarged upon the ſame ſubject, to ſignify to the commons, that they could not diſpenſe with putting the king in a condition to proſecute a war ſo glorious and neceſſary. Then, he ſpoke of the deſign formed by the republicans, for the ſubverſion of the government. But, in aggravating with great warmth and eloquence the efforts and deſigns of theſe men, he took particular care not to diſtinguiſh them from the other ſects of nonconformiſts. It was a conſtant artifice, as I have obſerved, to apply to the preſbyterians, under the general name of nonconformiſts, all the actions and extravagancies of the independents, anabaptiſts, and republicans in general. Another by the chancellor.

In a very few days, the commons voted the king a new ſupply of twelve hundred and fifty thouſand pounds to continue the war, one hundred and twenty thouſand pounds to the duke of York, for the great ſervice he had done to the nation. Money granted the king. Echard.

1665. After this, was brought into the houſe a bill, which paſſed without any difficulty, namely, "That no nonconformiſt "teacher under what denomination ſoever ſhall dwell, or "come, unleſs upon the road, within five miles of any "corporation, or any other place where they had been mi-"niſters, or had preached, after the act of oblivion, unleſs "they firſt took the following oath:"

The five mile act. Statute b. Burnet, p. 224. R. Coke.

I do ſwear that it is not lawful upon any pretence whatſoever to take arms againſt the king; and that I do abhor the traiterous poſition of taking arms by his authority againſt his perſon, or againſt thoſe that are commiſſioned by him, in purſuance of ſuch commiſſions; and that I will not at any time endeavour any alteration of government either in church or ſtate [u].

The reaſon alledged in the act to juſtify this ſeverity was, that the miniſters had ſettled themſelves in the corporations, ſometimes three or four in a place, and took opportunities to inſtil into the minds of the ſubjects, their poiſonous principles of ſchiſm and rebellion, to the great danger of the church and kingdom.

Reaſons urged againſt it. Burnet. Echard.

This bill met with great oppoſition in the houſe of lords, even from the earl of Southampton lord treaſurer, though intimate friend of the earl of Clarendon, principal author of the perſecution againſt the nonconformiſts [w]. Indeed, the oath required to be taken by the nonconforming miniſters ſuppoſed a thing, which was not generally allowed, namely, that every good ſubject and good chriſtian, was obliged in conſcience to believe what was contained in this oath, otherwiſe it was abſurd to impoſe it on the miniſters. For there is a great difference between enjoyning a certain practice, and obliging part of the ſubjects to ſwear that they believe it founded in religion and conſcience, while the reſt are left free, either to believe or not believe it. Accordingly, the commons, being aware of the force of ſo preſſing an objection, prepared a bill to oblige all the ſubjects to take the ſame oath. But the bill was thrown out, though only by two or three voices. At laſt, notwithſtanding theſe difficulties, the act, called the five mile act, paſſed in the houſe of lords, and the king gave it the royal aſſent the 31ſt of October, as well as to the money bill and ſome others, after which

It paſſes.

The parliament prorogued. Echard.

[u] The penalty was forty pounds, and ſix months impriſonment, unleſs they took the ſaid oath before their commitment.

[w] As alſo from the lords, Wharton, Aſhley, &c. Echard, tom. III, p. 149.

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he prorogued the parliament to the 20th of February 1665-6. 1665.

Several writers have endeavoured to juſtify the rigour of the five mile act, and what they have ſaid amounts to this. ——That this rigour was occaſioned more by the ſeditious behaviour of the nonconformiſts, than by the exerciſe of their religion. In which aſſertion the ambiguity of the word nonconformiſt is ſtill retained, as if all the ſects included under that denomination formed but one and the ſame body, united by the ſame common doctrines and intereſts, which is notoriouſly falſe. The preſbyterians alone were conſiderably more numerous than all the other conconformiſts together, and had doctrines and intereſts really ſeparate from thoſe of the other ſects. They could not be, nor were they, accuſed of being engaged in the conſpiracies, real or pretended, of the independents and anabaptiſts ſince the king's reſtoration, who had even poſitively promiſed, they ſhould not be moleſted for their religion, after the great ſervice they had done him. And yet, becauſe their enemies had artfully included them in the general denomination of nonconformiſts, they were to partake of the puniſhment due to the other ſects, who were called by the ſame name, though they had no ſort of union with them. Wherefore the reader may judge, whether this ſeverity did not partly ariſe from their religion. In ſhort, by the ſole ambiguity of the word nonconformiſt the objections and juſt complaints of the preſbyterians, are pretended to be combated.

Reaſons alledged to juſtify the five mile act. Id. p. 150.

This ſame year, the council of Scotland ſhewed no leſs animoſity againſt the preſbyterians; on pretence of ſome inſolence committed by Alexander Smith, a private miniſter, a proclamation was publiſhed the 24th of December, ordering that all the ſilenced preſbyterian miniſters ſhould, within forty days, remove themſelves and their families from the places where they had been miniſters, and not reſide within twenty miles of the ſame, or within ſix miles of Edinburgh, or any cathedral church, nor within three miles of any royal borough, nor ſhould be more than two together in the ſame pariſh, on pain of incurring the penalties of the law againſt movers of ſedition. I own, I ſee no other difference between ſentencing men to death, and putting them out of a capacity to live, unleſs, that the latter puniſhment offers thoſe who inflict it a more exquiſite vengeance. But this rigour will appear the more extreme, if it is conſidered that the preſbyterians made properly the body of the Scotch nation [x].

Extreme rigour ſhewn to the preſbyterians in Scotland. J. Phillips, Echard.

[x] This year died Montague Bertie, earl of Lindſey, and ſir Kenelm Digby.

1665-6. In the beginning of the year 1666, the king's affairs were in an ill ſituation. The king of France, preſſed by the repeated inſtances of the ſtates general, recalled his ambaſſadors, and publiſhed the 19th of January a declaration of war againſt England. This was not owing to his belief that the affairs of the ſtates were deſperate, (for the ſequel ſhowed they could defend themſelves without his aſſiſtance) but becauſe the penſionary, who was entirely attached to his intereſt, could no longer ſupport himſelf without this declaration, which, as will hereafter appear, was not very prejudicial to England.

France declares war againſt England. D'Eſtrades. Temple. Echard, III. p. 156.

The king of Denmark joins with the ſtates. Ibid. Baſnage.

On the other hand, the ſtates found means to ſecure the king of Denmark, by the promiſe of paying him yearly, as long as the war with England ſhould continue, fifteen hundred thouſand florins, three hundred thouſand of which were to be paid by the king of France. For this he engaged to maintain a fleet at ſea of thirty men of war for the ſervice of the allies.

The biſhop of Munſter makes a peace with the ſtates.

The ſtates alſo raiſed ſo many enemies to the biſhop of Munſter, that he was forced to make peace and diſband his forces. This peace was concluded at Cleve, and ſigned the 18th of April.

1666. The naval war was renewed in 1666, with all theſe diſadvantages to England. If the king of France had acted with the ſincerity, the ſtates thought they had reaſon to expect, very probably the Engliſh fleet would not have ventured to appear with unequal force againſt the united fleets of France and Holland. But Lewis XIV. as I have ſaid, only declared war againſt England to ſave mr. De Wit, who was juſt ſinking, as appears in ſeveral letters of count d'Eſtrades. The penſionary being ſecure by this declaration, it was not difficult for the king of France to find pretences for retarding the aſſiſtance he had promiſed the ſtates. Though his declaration was publiſhed the 19th of January, the fleet which he promiſed ſhould join that of the ſtates, was in the Mediterranean, under the command of the duke of Beaufort, who, by accidents, real or pretended, arrived not at Belle-Iſle till the end of September.

The king of France not forward to ſuccour the ſtates. Baſnage. D'Eſtrades.

On the other hand, the king of Denmark, without a junction of his fleet with that of the ſtates, contented himſelf with guarding his own coaſts. So, this year, as the laſt, the war by ſea was carried on between England and the ſtates only.

War proclaimed againſt France.

The king returning to London the 1ſt of February, proclaimed war againſt France, on the 10th.

A few

A few days before, the queen miſcarried, which entirely deſtroyed the common report, that ſhe was incapable of having children. 1666.

The queen miſcarries.

The command of the Engliſh fleet was given to prince Rupert and the duke of Albemarle [1], They repaired to it the 23d of April, but were not ready to ſail till the end of May. It conſiſted of ſeventy eight ſhips of the line, beſides frigats and fireſhips. In all appearance, the king was till then ignorant of the French king's ſecret intentions. But he knew, the duke of Beaufort had orders to repair to Belle-Iſle with his fleet, ſaid to conſiſt of thirty ſix ſail, to join the Dutch fleet in the channel. Wherefore, he ſent expreſs orders to prince Rupert to ſail with twenty great ſhips, and join ten more at Plymouth, in order to go in queſt of the duke of Beaufort, which the prince immediately obeyed. It cannot well be denied, that this order was ſent with too much precipitation, and without due conſideration. For, beſides that the Engliſh fleet could, without danger, have waited for the French, which could not, with ſafety, have ventured to paſs ſo narrow a ſea as the channel, while the Engliſh ſhould be in their ſtation, the French fleet was yet in the Mediterranean, when the order was ſent to prince Rupert, and that of Holland upon the point of ſailing out of their ports. The king had afterwards reaſon to ſee how unſeaſonably this order was given.

Prince Rupert and the duke of Albemarle command the Engliſh fleet. Echard. Skinner. Burchett. Kennet.

Prince Rupert raſhly ordered to find and fight the French fleet. Echard. Baſnage.

The fleet of the ſtates, commanded by Ruyter, put to ſea with ſeventy one ſhips of the line, twelve frigats, thirteen fireſhips, and eight yatchs, and anchored between Newport and Dunkirk. Ruyter had under his particular conduct the ſquadron of the Maeſe: that of north Holland and Frieſeland was commanded by Evertzen, and that of Zealand by Tromp. The Engliſh having a fair wind, ſailed to attack the enemy, who, on their ſide, cut their cables to be the ſooner ready to receive them. Tromp's ſhip was ſo diſabled at the firſt, that he was obliged to leave it for another. The ſame thing happened to Ruyter, who was coming to his aſſiſtance, and the powder of a Dutch ſhip taking fire, ſhe blew up into the air. Ruyter ſunk an Engliſh ſhip of fifty guns, then another of ſeventy, and afterwards three others of the firſt rate. In ſhort, this firſt day, the advantage was wholly on the ſide of the Dutch, ex-

A ſea engagement. La Neuville, hiſt. de Hollande. Baſnage. Echard.

[1] Sir George Aſcough was admiral of the white, and ſir Thomas Allen of the blue. Echard, tom. III. p. 159.

cept

1666. cept that they loſt vice admiral Evertzen, who was killed by a cannon ball.

The fight, interrupted by the night, was renewed early the next morning, but, after laſting ſome hours, was diſcontinued till noon by reaſon of a calm. After that, the wind riſing, both fleets renewed the engagement with equal bravery. Tromp being once more obliged to change his ſhip, found himſelf ſo engaged in the Engliſh fleet, that he would have been infallibly taken or ſunk, if Ruyter, by prodigious efforts, had not brought him off. This ſecond day, the Engliſh had ſtill the diſadvantage, by loſing eight of their largeſt ſhips either ſunk or burnt, and ſix taken, with ſir George Aſcough admiral of the white. The duke of Albemarle would have taken the advantage of the night to retire, but was purſued too cloſely to execute his deſign. So that he was obliged to fight all the next day, as he retired towards his own ſhore. About the evening, he diſcovered prince Rupert's ſquadron coming to his aſſiſtance. Whereupon the two Engliſh admirals attacked their enemies again the next morning. But this fourth day proved as unſucceſsful to them as the three former. They loſt four of their beſt ſhips, and were obliged to retreat with precipitation. A miſt happily conveyed them from Ruyter's purſuit. In theſe four days the Engliſh loſt twenty three great ſhips, beſides ſeveral others of leſs note, ſix thouſand men, and two thouſand ſix hundred priſoners. Amongſt the ſlain were ſir William Berkley, vice admiral of the white ſquadron, and ſir Chriſtopher Minnes. The Dutch loſt ſix ſhips, two thouſand eight hundred ſoldiers, and fourſcore ſailors, beſides the admirals Evertzen, Vander Hulſt, and Stockhover, with ſome other officers. Though the victory was ſo evidently on the ſide of the Dutch, bonfires and rejoycings were made at London, as if the Engliſh had been conquerors [z].

Burnet, p. 229.

Diſadvantage of the Engliſh.

La Neuville. Baſnage. Echard.

Burnet.

Another engagement. Baſnage. Echard.

The two fleets ſoon put to ſea again, and as they were in queſt of each other, they met the 24th of July, and fought a furious battle, where the victory was obſtinately

[z] De Wit was on board the Dutch fleet, who was ſaid to have invented chain ſhot on this occaſion, which did incredible damage to the rigging of the Engliſh, and was a great means of the Dutch getting the advantage. And it is thought, if prince Rupert had not come up when he did, the Engliſh fleet was ſo unrigged, that they would have been all taken and ſunk, or burnt. And yet a day of thankſgiving was appointed. Burnet, p. 229. Echard ſays, the Engliſh had but nine men of war taken or burnt; and the Dutch loſt above fifteen ſhips, twenty one captains, and above five thouſand common ſeamen. Tom. III. p. 161.

diſputed

diſputed. The Engliſh fleet conſiſted of above a hundred ſail; and the Dutch, of eighty eight ſhips of the line, beſides nineteen fireſhips. While Ruyter, and young Evertzen, engaged the red and white ſquadron, Tromp after a long diſpute routed the blue ſquadron, commanded by ſir Jeremy Smith. But by an unpardonable error, inſtead of remaining with the fleet, he amuſed himſelf with purſuing the flying ſhips of the enemy. On the other hand, young Evertzen, who commanded one of the Dutch ſquadrons, was killed with a cannon ball, and his ſquadron entirely defeated. But the Engliſh admiral who fought againſt him, was not guilty of the ſame error as Tromp. Inſtead of purſuing the flying enemy, he joined the red ſquadron, commanded by prince Rupert and the duke of Albemarle, and theſe two ſquadrons attacked Ruyter, who nevertheleſs, by means of the night, diſengaged himſelf. But the next day, he was obliged to ſuſtain the fight alone againſt theſe two ſquadrons, there being no news of Tromp. He never in his whole life ſhowed ſo much bravery and capacity as in this ſecond engagement. He ſuſtained, with his ſingle ſquadron, the brunt of the two Engliſh ſquadrons, and at laſt retreated with ſuch wonderful conduct, that he gained more honour by it than he would have done by a victory. The Engliſh leaving the chace in ſight of Fluſhing, went after Tromp, who, though he was met off Harwich, recovered the Texel without any loſs. Ruyter at his return, loudly complained of Tromp's conduct, and, to ſatisfy him, the ſtates put Tromp under an arreſt, diſmiſſed him from his poſt, and put Van Ghent in his place [a].

1666.

Diſadvantage of the Dutch.

Ruyter's brave retreat.

Tromp turned out of his poſt. Baſnage.

About the time of theſe engagements between the Engliſh and Dutch, the duke of Beaufort arrived with his fleet at Rochelle, where he ſtayed to take in freſh water, which he greatly wanted.

The French fleet arrives at Rochelle.

As in the laſt engagement the Dutch fleet was diperſed, part retiring to Fluſhing, and part to the Texel, the duke of Albemarle finding himſelf maſter of the ſea, detached twenty men of war to brave the coaſts of Holland. Holms coming to the iſle of Vlye, burnt a hundred merchant ſhips, and two men of war deſigned for convoys. Then he advanced to the iſle of Schelling, and making a deſcent, burnt many houſes in the little town of Brandaris. His deſign was to

The Engliſh make a deſcent upon Holland with great damage to the Dutch. Baſnage. Skinner. Echard. Kennet, p. 282.

[a] According to Echard, there were about twenty Dutch ſhips ſunk or burnt in this engagement; four thouſand ſeamen killed, and near three thouſand wounded. Tom. III. p. 162.

improve

1666. improve a treaſon carrying on in this iſle by one Hemſkirk, for which Buat a French gentleman, who ſecretly correſponded with the Engliſh, was beheaded at the Hague. But Holms not finding things ready as he expected, returned to the fleet.

The Engliſh fleet before the iſle of Wight.

After this expedition, the Engliſh fleet ſailed into the channel, and anchored at St. Hellens; the iſle of Wight being the moſt proper ſtation for hindering the junction of the French and Dutch fleets. Ruyter on his ſide poſted himſelf in St. John's bay, near Boulogne, where he was ſeized by a diſtemper, which for ſome time was believed mortal. This obliged the ſtates to recall their fleet, of which they gave notice to the king of France.

The Dutch fleet recalled on account of Ruyter's illneſs.

The duke of Beaufort paſſes and repaſſes before the iſle of Wight, without being attacked by the Engliſh.

Mean time, the duke of Beaufort, ignorant of the retreat of the Dutch fleet, left Belle-Iſle, where he arrived about the 20th of September, and entering the channel, ſafely ſailed by the iſle of Wight, without being attacked, and got into Dieppe. He ſtaid there a whole day without hearing any news of Ruyter. At laſt, being informed, that the Dutch fleet was retired, he ſailed once more by the iſle of Wight, without meeting with any oppoſition, and got into the ports of Bretagne. It is very ſurpriſing, that the Engliſh, who lay at the iſle of Wight to prevent the junction of the two enemies fleets, ſhould ſuffer that of France to paſs and repaſs without moleſtation [b]. This may give occaſion to ſuſpect, there was ſome intelligence between France and England. But as I cannot trace it, I ſhall not inſiſt upon it. But it plainly appears, the king of France, after having amuſed the Dutch a whole year on divers pretences, did not really declare againſt England till the 19th of January 1665-6, and ſtill amuſed them all this year, with the hopes of the arrival of the duke of Beaufort, who entered the channel but in September, when the ſea campaign was over. If to this be added, Lewis's unwillingneſs to ſuccour the ſtates, as appears in his letter to d' Eſtrades, there will be no cauſe to wonder at the little advantage received by the Dutch from the junction of France.

Baſnage.

Management of Lewis XIV. Baſnage. D'Eſtrades.

Project to excite troubles in England. Ludlow. Echard. Is dropped.

This year, the ſtates had intended to aſſiſt the malecontents in England and Scotland, in order to give the Engliſh arms a diverſion at home. This deſign was even communicated to the king of France. But he found ſo many objections to it, that it was ſuffered to fall unexecuted. Proba-

[b] Three or four of the French ſhips fell among a ſquadron commanded by ſir Thomas Allen, who took one of them. Echard, p. 163.

bly,

bly, the ſtates had ſome correſpondents among the republicans, who being partly diſcovered, a great noiſe was made, and, according to cuſtom, all the nonconformiſts were charged with the plot. 1666.

The misfortune which this year befel the city of London, I mean the terrible fire which laid ſo great a part of that vaſt city in aſhes, gave a freſh occaſion to the enemies of the republicans, to charge them with being the authors thereof. This was only becauſe the fire happened to break out the 3d of September [c], a day eſteemed fortunate by the republicans, on account of the victories of Dunbar and Worceſter, obtained by Oliver Cromwell, when general of the armies of the commonwealth of England. To repreſent without any aggravation, the ravages made by this fire in London, I need only inſert the inſcription upon one of the ſides of the column, erected on the place where the fire broke out. This column at London, is called the monument, and viſited by all ſtrangers, but they only who underſtand the Engliſh language, can read this inſcription [d]. London burnt. Strype's addit. to Stow. T. I. Kennet. Echard.

Inſcription upon the monument.

"In the year of Chriſt 1666, the ſecond day of September, at the diſtance of 202 feet (the height of this column) a terrible fire broke out about midnight, which, driven on by a high wind, not only waſted the adjacent parts, but alſo very remote places, with incredible noiſe and fury. It conſumed eighty nine churches, the city gates, Guildhall, many publick ſtructures, hoſpitals, ſchools, libraries, a vaſt number of ſtately edifices, thirteen thouſand two hundred dwelling houſes, four hundred ſtreets. Of the ſix and twenty wards it utterly deſtroyed fifteen, and left eight others ſhattered and half burnt. The ruins of the city were four hundred thirty ſix acres, from the Tower by the Thames ſide, to the Temple church, and from the north-eaſt gate, along the city wall, to Holborn-bridge. To the eſtates and fortunes of the citizens, it was mercileſs, but to their lives very favourable, that it might in all things reſemble the laſt conflagration of the world. The deſtruction was ſudden, for in a ſmall ſpace of time the ſame city was ſeen moſt flouriſhing, and reduced to nothing. Three days after, when this fatal fire had baffled all human counſels and endeavours in the opinion of all, it ſtopped, as it were, by a command from heaven, and was on every ſide extinguiſhed."

[c] This fire broke out the 2d of September.

[d] All the inſcriptions, except that round the pedeſtal, are in Latin.

Men

1666. Men failed not to give a ſcope to their imagination, and to form conjectures upon the cauſes and authors of this fire. The pious and religious aſcribed it to the juſt vengeance of heaven, on a city, where vice and immorality reigned ſo openly and ſhamefully, and which had not been ſufficiently humbled by the raging peſtilence of the foregoing year. Some again, as I have ſaid, aſcribed this misfortune to the malice of the republicans; others to the papiſts. And there were ſome ſo bold, as even to ſuſpect the king and the duke of York. But though ſeveral ſuſpected perſons were impriſoned, it was not poſſible to diſcover, or prove, that the baker's houſe, where this dreadful calamity firſt broke out, was fired on purpoſe. However, one Robert Hubert a French huguenot [e], native of Roan, and a lunatick, confeſſing himſelf guilty of this fact, was condemned and executed. But it appeared afterwards, by the teſtimony of the maſter of the ſhip, who brought him from France, that though he was landed at the time, he did not arrive in London till two days after the fire began. It is pretended likewiſe, that a Dutch boy, ten years of age, confeſſed, that his father, and himſelf, had thrown fire-balls into the baker's houſe, through a window that ſtood open. But, beſides the objection which may be made to this teſtimony from the boy's age, there muſt have been ſome circumſtance in his narrative, not agreeable to the fact, ſince it was not thought proper to make a farther enquiry. Perhaps this was only a groundleſs report.

Conjectures upon the authors of this fire. Echard. R. Coke.

But that which gives moſt cauſe to believe this fire did not happen caſually, is, the teſtimony of dr. Lloyd, afterwards biſhop of Worceſter. That prelate told dr. Burnet,——— "That one Grant a papiſt had ſome time before applied "himſelf to Lloyd, who had great credit with the counteſs "of Clarendon (who had a large eſtate in the new river "that is brought from Ware to London) and ſaid, he could "raiſe that eſtate conſiderably, if ſhe would make him a "truſtee for her. His ſchemes were probable, and he was "made one of the board that governed that matter; and by "that he had a right to come as often as he pleaſed to view "their works at Iſlington. He went thither the Saturday "before the fire broke out, and called for the key of the "place where the heads of the pipes were, and turned all "the cocks that were then open, and ſtopped the water, "and went away, and carried the keys with him. So when "the fire broke out next morning, they opened the pipes in

Extract from Burnet's hiſtory relating to this fire. p. 231.

[e] Biſhop Burnet, and ſome others, ſay, That he was a French papiſt, p. 230.

"the ſtreets to find water, but there was none. And ſome "hours were loſt in ſending to Iſlington, where the door "was to be broke open, and the cocks turned; and it was "long before the water got to London. Grant indeed de- "nied, that he had turned the cocks. But the officer of "the works affirmed, that he had, according to order, ſet "them all a running, and that no perſon had got the keys "from him beſides Grant; who confeſſed, he had carried "away the keys, but pretended he did it without deſign." 1666.

This is dr. Burnet's account, and agrees in the main with Echard's in his hiſtory of England. However, an anonymous author, who has writ againſt dr. Burnet's hiſtory, accuſes him directly of falſehood, and aſſerts that "Grant "was not one of the board till after the fire." But it is difficult to know, what regard is due to the teſtimony of this anonymous writer, whereas one can hardly help crediting that illuſtrious prelate, when he ſays, he had it from dr. Lloyd, that Grant was made one of the board before the fire, and that it was by his means. However, this great fire was generally imputed to the papiſts, and the rather, becauſe ſeveral other things afterwards helped to confirm this ſuſpicion.

The parliament meeting the 21ſt of September, the king, in a ſpeech to both houſes, told them, the money granted him had not ſufficed to carry on the war, conſidering his two powerful enemies. He boaſted of the great ſucceſs with which God had been pleaſed to bleſs his arms, ſuppoſing his fleet to have been always victorious. Immediately after, the commons liberally voted the king a ſupply of eighteen hundred thouſand pounds. Thus in the ſpace of two years, this war coſt the people of England five millions, five hundred and fifty thouſand pounds; that is, above ſixty millions of Dutch florins, and above ſeventy two millions of French livres, allowing thirteen livres Tournois to one pound ſterling.

The king's ſpeech to the parliament. Echard.

A large ſupply voted the king.

Mean while, the two houſes beginning to diſcover, that the king was not the zealous proteſtant he affected to appear; that the papiſts had great influence in his council, and that their religion made a viſible progreſs, preſented to him an addreſs for executing the laws againſt popiſh prieſts and jeſuits, who were labouring to pervert his ſubjects. The king, according to the method of his father, grandfather, and his own, immediately publiſhed a proclamation for baniſhing the prieſts and jeſuits, on pain of being puniſhed according to law, if found in the kingdom after the 10th of December. So baniſhment was the worſt that could happen to

The parliament addreſſes the king againſt the papiſts. Echard, III. p. 169.

Proclamation againſt jeſuits, &c. Nov. 10. Ibid. Kennet.

1666. to them, even ſuppoſing the king's order ſhould have been executed. But the more rigorous the proclamations were, the more favourable was the execution. This manifeſtly appears in their being ſo often repeated. But to give a more convincing proof of the court's diſpoſition in this reſpect, I ſhall here produce a paſſage in a letter to the earl of Sandwich, ambaſſador at Madrid, from ſecretary Bennet, lately created earl of Arlington, a reputed papiſt, though he profeſſed the proteſtant religion. In this letter he told the ambaſſador, "Your excellency knows ſufficiently the "ſprings upon which the animoſity to the Roman ca-"tholicks riſes, and how hard it is for his majeſty to for-"bear declaring againſt them, when the complaint ariſes "from both houſes of parliament, and accordingly you can "yourſelf frame your anſwer to the queen of Spain."

An inſurrection in Scotland, Echard.

The rigour exerciſed againſt the preſbyterians in Scotland cauſed ſome of the moſt impatient to riſe in arms to the number of fifteen hundred, and form a regular body with officers in proportion to head them. Probably, they hoped, if they ſhould gain ſome advantage to be joined by their brethren.

is quelled.

But in their firſt action with the king's forces, they were diſperſed with the loſs of three hundred men, and one hundred priſoners, who were moſt of them executed. It was not forgot to ſay that they held intelligence with the Engliſh preſbyterians, and, if they had gained the victory, the like inſurrection would have appeared in England. But it may eaſily be judged, that the preſbyterians in England would not have been ſpared, if they could have been proved guilty, conſidering how the government ſtood affected towards them.

Made uſe of to brand the Engliſh preſbyterians.

Echard, III. p. 170.

Inconſiderable as this inſurrection was, the Engliſh hiſtorians have been pleaſed to repreſent it as very important, in ſaying, the nation was ſuddenly alarmed with an inſurrection of the preſbyterians in Scotland, with whom it was not doubted thoſe of England held a ſtrict correſpondence. Theſe authors are to be forgiven for not being willing to miſs the firſt opportunity to include the Engliſh preſbyterians in theſe conſpiracies, though it be only on the authority of a "it "is believed."

Meſſage ſent from the king to the commons to haſten the money bill. Dec. 15. Echard.

The king was impatient for the diſpatch of the money bill, of which it ſeemed the commons took no farther notice. He therefore thought it neceſſary to quicken them by a meſſage. He likewiſe told them, he could not permit any adjournment at Chriſtmaſs, except for the principal holidays. But this meſſage, it ſeems, produced no great effect. The commons were then examining complaints againſt the lord Mordant,

Lord Mordant accuſed

governor

governor of Windſor caſtle, who was accuſed of ſome arbitary and tyrannical actions. But neither this affair, nor the money bill could be finiſhed before the concluſion of the year. 1666.

The parliament met the 2d of January, after a ſhort adjournment, and immediately the commons accuſed the lord Mordant, at the bar of the lords houſe, and then preſented articles of high crimes and miſdemeanors againſt him. But they were diſpleaſed, that the accuſed was ſuffered to be within the bar of the houſe, whilſt his accuſation was reading. This occaſioned a diſpute between the two houſes. There was alſo another difference between them, concerning the commiſſioners appointed by the commons to levy the poll tax, and to take the publick accounts on oath. This was the ſubject of ſeveral fruitleſs conferences [f]. 1666-7. Echard, III. p. 172, 173.

The king came to the parliament the 8th of January, and gave the royal aſſent to the poll bill, but complained of the nomination of commiſſioners, as a mark of their diſtruſt of him [g]. Poll tax.

The miſunderſtanding between the two houſes ſtill continuing, the king came to the parliament the 8th of February, and after paſſing ſeveral acts, he aſſured them, the money granted ſhould be laid out for the ends it was given. Then he prorogued the parliament to the 10th of October. The acts paſſed were; an act to continue for eleven months, the monthly aſſeſſment of ſeventy thouſand pounds, which with the poll tax, was conceived ſufficient to make good the eighteen hundred thouſand pounds, granted to the king. The other acts concerned chiefly the new buildings in London, which were finiſhed ſooner than could be expected, and in a manner more beautiful and regular than before the fire [h]. The parliament prorogued. Money act. Statute-b. Act for rebuilding London.

It is now time to ſpeak of the peace between England and Holland, which was now, though very ſecretly, negotiating, at the time the parliament granted eighteen hun- Steps taken by the ſtates towards a peace. Baſnage, D'Eſtrades. Echard.

[f] Rapin has expreſſed this affair very confuſedly, and therefore it is ſomewhat altered in the tranſlation.

[g] He gave his aſſent at the ſame time to a bill for burying in woollen. See Statut. 18 Car. II.

[h] To this end, a bill was now paſſed, for laying twelve pence upon every chaldron, and twelve pence upon every tun of coals, that ſhould be brought into the port of London, for ten years, the better to enable the lord mayor and aldermen to recompence thoſe perſons, whoſe grounds ſhould be taken from them, in order to enlarge the ſtreets, &c. —— And about this time was ſet up an office for inſuring houſes from fire, which was principally contrived by dr. Barbon, one of the firſt and moſt conſiderable rebuilders of the city. Echard, tom. III. p. 177.

1666-7. dred thouſand pounds for carrying on the war. In November 1665, before the king of France had declared againſt England, the ſtates, for a foundation of peace, had offered the king one of theſe two conditions, either that each of the parties ſhould reſtore what had been taken, or both keep what they were poſſeſſed of. This was a ſure way to obviate all difficulties which might occur in the negotiation of peace. Beſides, the laſt of theſe conditions was very advantageous to England, by reaſon the great number of ſhips taken from the Dutch before even the war was proclaimed. This offer was renewed at Paris about the middle of the year 1666, in a conference there between mr. de Lyonne, the lord Holles the Engliſh ambaſſador, and mr. Van Beuninghen envoy from the ſtates. Probably, Charles expected greater advantages in the continuance of the war, ſince he returned no anſwer to this offer. He only complained of its obſcurity, without ſignifying wherein it conſiſted. Nevertheleſs, he received this advantage from it, that he knew how the ſtates were diſpoſed, and what he could depend on: ſo that it was in his power to make peace whenever he ſhould think proper. The 17th of September the ſame year, the ſtates repeated the ſame offer in a letter to the king. But as this was when the parliament was going to ſit, and when the king expected a large ſupply for carrying on the war, he did not think fit to embrace it. He contented himſelf with ſignifying to the ſtates in a letter of the 4th of October, his diſſatisfaction at their proceedings, and at the calumnies they had raiſed againſt him, in accuſing him of being the aggreſſor, and rejecting all propoſals for peace. Then he largely juſtified himſelf upon what had been alledged by the ſtates againſt him. But the moſt important part of this letter was the king's poſitive aſſurance that he had accepted the mediation of Sweden. A place therefore to treat was to be agreed on. The choice of this place afforded the king a pretence to defer the negotiation ſome months. He was at firſt for having the peace negotiated at London, to which the ſtates would have readily conſented, if the kings of France and Denmark had believed it conſiſtent with their honour. Upon the repreſentation made by the ſtates, concerning the refuſal of the two kings their allies, he anſwered, that he had no affair to negotiate with France, and complained of the king of Denmark for making war againſt him without any reaſon. He was ſo offended with that king, that he made no ſcruple to tell the ſtates, it was at the inſtigation of Denmark, that he ſent his fleet to Berghen, and

and agreed with him to divide the ſpoil. At laſt, the ſtates left the nomination of the place to him, provided it was approved by their allies. The king accepted the offer, but inſiſted that the ſtates ſhould firſt write to him to teſtify that they would willingly have ſent their plenipotentiaries to London, if the two kings their allies would have given their conſent. This letter was writ, as he deſired, the 13th of January 1666-7, and the king in his anſwer of the 20th, named the Hague for the place of conference. He knew, the penſionary would not accept it, on account of the cabals which the Engliſh ambaſſadors might make againſt him in favour of the young prince of Orange. Accordingly De Wit privately cauſed the king of France to reject the propoſal. 1666-7.

All the king's proceedings clearly ſhow, he was deſirous of peace, and as it was in his power he might have concluded it before the end of the year 1666. But too much haſte would have deprived him of the eighteen hundred thouſand pounds granted for the continuance of the war, This was the true reaſon of the difficulties raiſed by him concerning the place of congreſs, in order to gain time till the money bill was paſſed. After he had given his aſſent to the laſt bill for the continuation of the monthly aſſeſſment of ſeventy thouſand pounds, all difficulties began to vaniſh. Seven or eight days after, the earl of St. Albans was ſent to Paris to notify to the king of France, that Charles conſented that things ſhould remain in the ſtate to which the chance of war had reduced them. He added however one condition, namely, that France ſhould reſtore to him the iſle of St. Chriſtophers, and three other ſmall iſlands in America, ſeized by that crown the laſt year. But this was a thing proper to be diſcuſſed at the congreſs, whereas the choice of the alternative made the eſſence of the treaty with the ſtates. So, it may be ſaid, that from this time the peace was in a manner concluded; nothing being wanted but the formality of a treaty. R. Coke.

Mean while, the king of France, to ſerve mr. De Wit, in preventing the king of England from inſiſting upon his nomination of the Hague, for the place of conference, thought of an expedient in which he ſucceeded. This was to name Dover for the place of congreſs. And when it was objected to, he added Breda, Bois le-duc, and Maeſtricht, leaving to the king of England the choice of one of theſe four towns. At laſt, Charles having no longer intereſt to delay the peace, Echard, III. p. 182.

1667. writ to the ſtates the 18th of March, that he was willing to ſend his plenipotentiaries to Breda.

Peace treated of at Breda. D'Eſtrades. Echard. Baſnage.

The difficulty concerning the place of congreſs being removed, the next thing was to appoint ambaſſadors, and diſpatch the paſſports. And it was agreed the conferences for the peace ſhould begin the 10th of May. But the Engliſh plenipotentiaries arrived not at Breda till the 20th. Theſe were the lord Holles, and Mr. Henry Coventry [1]. From France came count d'Eſtrades, and Mr. Courtin; from Denmark, Meſſ. Klingenberg and Caniſius, and from the ſtates general, Meſſ. Beverninch, Hubert, and Yonſtal. The mediators from the king of Sweden were, Meſſ. Fleming and Coet. But the laſt dying at Breda, during the conferences, count de Dhona, the Swediſh ambaſſador to the ſtates, took his place.

The conferences prolonged by a miſunderſtanding. Baſnage.

At the firſt opening of the congreſs a very obvious miſtake was diſcovered, but which in all appearance, had been connived at by the two parties for fear of obſtructing the congreſs. In their letter to the king of England, the 17th of September, the ſtates had made two propoſals for peace, the ſecond of which was that each ſhould keep what he had taken, before or during the war. This was what the ſtates had ever adhered to, without any variation. But the king in a letter to the ſtates, the 24th of April 1667, ſaid,——"We take this opportunity to declare to you, "that we accept the choice propoſed to us, that is, that "each party ſhall keep whatſoever he has taken during "this war, which being granted, we ſhall order our am-"baſſadors to proceed in the preſent treaty, upon the foun-"dation of that made between us in the year 1662."

It is manifeſt, that in the ſecond condition propoſed by the ſtates, was included whatever had been acquired by either party, not only during, but before the war, and that in the king's letter was compriſed only what had been taken during the war. Now the king, according to the terms of his acceptation, pretended, the ſtates ſhould make him ſatisfaction for the two ſhips, the Good Hope, and the Bon Adventure, taken, or ſunk before the treaty of 1662. Moreover, he pretended, that as the States were obliged by the ſame treaty to reſtore to him the iſle of Poleron in the Eaſt Indies, and as that iſle was ſtill in their poſſeſſion, it ſhould be delivered to him. Theſe two articles were the principal ſubject of the diſputes in the conferences of Breda,

[1] Of the king's bed-chamber.

and

and retarded the concluſion of the treaty, to the great damage of the Engliſh, as will hereafter appear. The ſtates kept to the terms of their offer, and the king to thoſe of his acceptation. 1667.

I have already ſpoken of the two ſhips taken by the Dutch in the interval between the two treaties of the year 1659, and 1662. As for the iſle of Poleron, the ſtates pretended, they had reſtored it in form, and produced a receipt from the Engliſh officer, to whom it was delivered. But before this ſurrender, they had entirely diſpeopled it, and cut down all the clove-trees, and in ſhort, had ſeized it again ſince the beginning of this war. But the king pretended, there were eſſential defects in the form of the reſtitution, and that the ſtates were obliged to reſtore it by the terms of the treaty 1662. The importance of this iſle conſiſted in that within four or five years it might be new ſtocked with clovetrees, if it was in the hands of the Engliſh, and ſo prove very prejudicial to the Dutch, who were maſters of the whole ſpice trade.

A difficulty relating to the iſle of Poleron. Echard, III. p. 181. Baſnage.

To decide theſe two articles, from which both parties made it a point of honour not to recede, couriers were to be ſent ſeveral times to London and the Hague, and thoſe from London brought only ſtricter orders to the ambaſſadors to inſiſt upon the two ſhips, and the iſle of Poleron. But at length the king yielded the laſt, ſo that the whole negotiation was reduced to the ſatisfaction demanded for the two ſhips. It is not very ſurprizing, that the king ſhould inſiſt on this article. He had begun the war under the ſpecious pretence of procuring reparation for all the damages done to his ſubjects, which he computed at ſeven or eight hundred thouſand pounds ſterling. To enable him to obtain this reparation by force of arms, the parliament had furniſhed him with five hundred and fifty-five thouſand pounds. He had moreover taken ſixſcore ſhips, before the war was declared, and above fourſcore ſince. In all appearance, he had not applied the product of theſe captures to the benefit of his ſubjects, who, according to his calculation, had loſt ſeven or eight hundred thouſand pounds, and for which the war was undertaken. He could not therefore well diſpenſe with procuring the merchants, who had loſt theſe two ſhips, the ſatisfaction demanded by them, without giving occaſion to believe, this war had been undertaken for imaginary pretenſions. For the pretenſions concerning theſe ſhips were properly the only things that were ſpecified. All the reſt conſiſted in general, the diſ-

Both parties intractable. The king recedes from his demand of Poleron.

1667. cuſſion whereof was unneceſſary, by reaſon of the choice propoſed by the ſtates. It was not that they ſeared a diſcuſſion, ſince they had offered it in the firſt of their two conditions. But it was the king's intereſt to avoid it, and accept the ſecond condition. If he had embraced it, in the ſame terms as offered by the ſtates, all the grounds of this war, ſo expenſive to England, would have remained in obſcurity. He could not therefore in honour but inſiſt upon the only article, which could be conſidered as a juſt cauſe of the war, though it did not amount to ten thouſand pounds ſterling, Mean while, as ſince the offer of the ſtates, he ſaw, he could make peace when he pleaſed, he thought it a needleſs expence to put to ſea a powerful fleet, as he had done the two foregoing years, and that it was better to ſave the beſt part of the money granted for the continuance of the war. To this end, relying on the certainty of a peace, he laid up his great ſhips, and kept only a ſquadron of twenty ſail, while the ſtates continued their preparations as uſual, in their uncertainty of the king's intention concerning peace.

Sends no fleet out.

Mean time, the ſtates ſeeing what difficulties the king formed upon an article of ſo little conſequence, believed, or pretended to believe, he was averſe to peace. They therefore reſolved, either to force him to relinquiſh his pretenſions, or at leaſt to continue the war this ſummer with advantage, becauſe they knew, that the king would have no fleet at ſea.

The Dutch come into the mouth of the Thames. Baſnage. Echard, III. p. 182, Kennet. R. Coke.

Purſuant to this reſolution, Ruyter ſailed out of the Texel with fifty ſhips, and came the 8th of June to the mouth of the Thames, from whence he detached vice admiral Van Ghent, with ſeventeen of his lighteſt ſhips, and ſome fire-ſhips.

Van Ghent, the 10th of June, ſailed up the Medway, made himſelf maſter of the fort of Sheerneſs, and after burning a magazine full of ſtores, to the value of forty thouſand pounds, blew up the fortifications. This action alarmed the city of London; ſo that to prevent greater miſchiefs, ſeveral ſhips were ſunk, and a large chain put croſs the narroweſt part of the river Medway. But by means of an eaſterly wind, and a ſtrong tide, the Dutch ſhips broke though the chain, and ſailed between the ſunk veſſels. They immediately burnt three large ſhips, the Matthias, the Unity, and the Charles the Fifth, all taken from them in the preſent war, and carried away with them the hull of the Royal Charles, beſides burning and damaging ſeveral others,

Burn ſeveral ſhips.

others. After this they advanced as far as Upnore caſtle, and burnt the Royal Oak, the Loyal London, and the Great James. The Engliſh fearing all the Dutch fleet would ſail up to London bridge, ſunk [thirteen] ſhips at Woolwich, and four at Blackwall, and platforms furniſhed with artillery to defend them, were raiſed in ſeveral places. The conſternation was very great, and the complaints were no leſs ſo. It was openly ſaid, the king out of avarice had kept the money ſo generouſly given him to continue the war, and left his ſhips and ſubjects expoſed to the inſults of the enemy, though he had exclaimed againſt the injuſtice done him, in believing him capable of ſuch an action. The king was under an inexpreſſible concern, as well for fear of greater damage from the Dutch fleet, as for the mortification this affair gave him, and the ſhame of having nothing to ſay to the murmurs of his people. Beſides he could not but reproach himſelf for being the cauſe of this inſult, by inſiſting too long upon an affair of ten thouſand pounds, and thereby retarding the concluſion of the peace [k].

1667.

Sail up as far as Chatham.

The king is very much mortified.

After this exploit, Ruyter ſailed to Portſmouth, with a deſign to burn the ſhips in that harbour; but finding them ſecured, he ſailed to the weſt, and took ſome ſhips in Torbay. He then ſailed eaſtward, beat the Engliſh before Harwich, and chaced a ſquadron of nineteen men of war commanded by Sir Edward Spragg, who was obliged to retire into the Thames. In a word, he kept the coaſts of England in a continual alarm all July, till he received the news of the concluſion of a peace.

Other exploits of Ruyter. Baſnage. Echard, III. p. 187.

This event had ſo changed the face of affairs, that the Engliſh ambaſſadors at Breda grew more pliant, and were eaſily perſuaded to yield the article of the two ſhips. It was however with the reſervation of the king's approbation, before the ſigning of the treaty. For this purpoſe, Coventry, after all the articles were ſettled, paſſed into England the 2d of July, and returned the 8th with the king's approbation, and the 21ſt the treaty of peace was ſigned. It was divided however into three ſeparate treaties, by reaſon of ſome inconveniencies which would otherwiſe have followed. But by a writing ſigned by all the plenipotentiaries, it was declared, that the three treaties ſhould be eſteemed but one and the ſame.

The peace concluded at Breda. Id. p. 187. Collect. of Treat. t. I. p. 127.

The moſt important articles of the treaty between England and France, were,

[k] Kennet infers from a letter of the earl of Arlington, that the Dutch were ſet on by the French to burn our fleet, Hiſt. tom. III. p. 287.

1667. VII. The moſt chriſtian king ſhall reſtore to the king of Great Britain, that part of the iſle of St. Chriſtophers, which the French have taken from the Engliſh, ſince the declaration of war.

Articles of the peace with France. Collect. of Treat. t. I. p. 127.

X. The king of Great Britain ſhall reſtore to the moſt chriſtian king, the country of Acadia, in North America, ſome time in poſſeſſion of the ſaid moſt chriſtian king.

XI. The moſt chriſtian king ſhall reſtore to the king of Great Britain, the iſles of Antegoa, and Montſerrat, if they are ſtill in his poſſeſſion, and in general, all the territories, iſles, towns, and fortreſſes, which may have been conquered by his arms, and which belonged to the king of England before the beginning of the war with the ſtates general, and reciprocally the king of Great Britain ſhall reſtore the territories, iſles, towns, &c.

XVII. This article contained a regulation of all the captures, which might be made ſince the concluſion of the peace.

XVIII. In caſe of a war it is ſtipulated, that ſix months notice ſhall be given to the merchants to withdraw their effects.

Principal Articles of the treaty between Great Britain and the ſtates general.

Article III. Both ſides ſhall forget and forgive all offences, damages, and loſſes, which either have ſuffered during this war, or at any time before, or under any pretence, as if they had never happened.——Each party ſhall hold for time to come in full right of ſovereignty, propriety and poſſeſſion, all ſuch countries, iſles, towns, forts, places and colonies, as, whether during this war, or before, have been taken and kept from the other by force of arms, and in what other manner ſoever, and that as they poſſeſſed and enjoyed them the 10th day of May laſt.

IV. All ſhips, goods and moveables, which at any time have come into the power of either party, ſhall remain in the preſent poſſeſſors thereof, without any compenſation or reſtitution for the ſame.

V. All actions, demands, and pretenſions whatſoever for the ſame ſhall remain void, obliterated, and diſannulled, &c.

XV. The ſaid lord the king, and the ſaid lords the ſtates, ſhall not receive into their dominions any ſuch perſons as ſhall be declared fugitive rebels, of the one or the other.

XIX. All ſhips and veſſels of the United Provinces, as well men of war as merchant ſhips, and others, which ſhall meet in the Britannick ſeas any ſhips of war belonging to the king of Great Britain, ſhall ſtrike the flag, and lower the ſail as it has formerly been practiced. 1667.

XXXII. If the former differences ſhall be renewed, and turned into an open war, the ſhips, merchandize, and all moveable effects of both parties, which ſhall be found in the ſea-ports and dominions of the adverſe party, ſhall be by no means confiſcated or damaged; but there ſhall be granted to the ſubjects of both parties the term of ſix whole months, during which time they may tranſport the ſaid effects where they pleaſe.

XXXVI. For the greater aſſurance that the preſent treaty ſhall be obſerved with good faith on the part of the ſtates general, they engage themſelves by theſe preſents, that thoſe perſons who ſhall be choſen by the ſaid ſtates general, or the particular provinces, into the offices of captain general, ſtadtholder, field marſhal, admiral, ſhall ſwear that they will obſerve, and cauſe to be obſerved religiouſly this treaty.

By a ſeparate article it was agreed, that if any of the murderers of Charles I. ſhould be found in the dominions of the ſtates general, they ſhould be delivered to the king, &c.

If it is now conſidered, what advantages England received from a war undertaken upon ſo ſlight grounds, and with ſuch animoſity, it will not be eaſy to diſcover a ſingle advantage that was not really contained in the treaty of the 4th of September 1662. But on the contrary, it will be found, that this war coſt five millions five hundred and fifty thouſand pounds ſterling, beſides the loſs of the ſhips of war, whether in ſea engagements, or in the affair of Chatham [1]. And yet the king had aſſured the parliament, in one of his ſpeeches, that he would never lay down his arms, till he had procured his ſubjects a reaſonable ſatisfaction for their loſſes, which upon his computation, amounted to ſeven or eight hundred thouſand pounds. And if theſe Reflections upon this peace.

[1] The Dutch were alſo, on their part, put to very great charges. For ſir William Temple affirms, that in the year 1665, there were raiſed in the provinces forty millions of guilders, of which twenty two in the province of Holland. And upon the biſhop of Munſter's invading them at the ſame time by land, they had, in the year 1666, above threeſcore thouſand land men in pay; and a fleet of above an hundred men of war at ſea. Obſervat. upon the United Provinces, p. 71.

loſſes

1667. losses are supposed real, this peace was so much the more dishonourable to the king and the English nation. But, on the other hand, it is easy to perceive, that the king and duke of York reaped by it considerable advantages: the king, by the large supplies of money which were granted him, but not expended in the war, at least, the eighteen hundred thousand pounds given in January and February this year, and by the sale of above two hundred ships taken from the Dutch; the duke of York, by his claims upon these captures as lord high admiral, and by the present of one hundred and twenty thousand pounds made him by the parliament. Such was the conclusion of this great armament, which was to humble the pride of the Dutch, and render them forever incapable to support their trade and dispute the empire of the seas with England. The peace was proclaimed at London, and at the Hague, the 24th of August.

Echard.

The king of France invades the Netherlands. Kennet, p. 292. Rapin. R. Coke.

The king of France, as hath been seen, gave no very real assistance to his allies, since his fleet never joined that of the states, not even this last year, when the English were in no condition to oppose the junction. He had then other designs, which he discovered in June, by an invasion of the Netherlands, on account of his queen's pretensions to Brabant, after the death of Philip IV. her father. In the whole course of the war between the king of England and the states general, he clearly showed his intention to make Charles his friend, in which he afterwards succeeded but too well. He would never have declared against him, notwithstanding his strict engagement with the states in the treaty of 1662, had he not believed such a declaration absolutely necessary to support mr. De Wit, who otherwise was in great danger of ruin. He earnestly wished to see the end of this war, in which he had very unwillingly engaged. This appeared chiefly in the conferences at Breda, where his two plenipotentiaries performed properly the office of Mediators, though those of Sweden had the name. Accordingly he was greatly suspected in Holland of a secret correspondence with England.

Complaints against the court. Burnet. Echard. R. Coke.

Complaints and murmurs against king Charles and his ministers succeeded the animosity with which the Dutch war was begun. When the advantages obtained by the peace were compared with the expence of the war, they were found so disproportionable, that men could not forbear suspecting, it had been raised by motives repugnant to the interest of England. The people had been told, it was under-

undertaken to procure the merchants ſatisfaction for the damages received from the Dutch: to revenge the indignities the nation had ſuffered: and to incapacitate the United Provinces ever to rival England again, but nothing of all this had been done. The merchants had received no ſatisfaction even for the two ſhips, the Good Hope and the Bon Adventure, though that article was the moſt ſpecified. Inſtead of revenging the affronts offered the nation, England had received a real and moſt mortifying indignity in the buſineſs of Chatham. Laſtly, after the peace of Breda, the United Provinces were in a more flouriſhing condition than before the war, and looked on this peace as a triumph for them. On the other hand, few people could digeſt the king's preſſing the parliament for money to carry on the war, and that after receiving eighteen hundred thouſand pounds ſterling he ſhould be ſo intent upon peace, as not to put himſelf in a condition to obtain reaſonable terms. This was a ſubject very apt to raiſe a ſuſpicion of the ſincerity of his intentions for the good of his people. In ſhort, it was more and more diſcovered that the papiſts had great influence at court, and that the proclamations publiſhed againſt them at the deſire of the parliament, were far from being rigorouſly executed. The earl of Arlington, almoſt open protector of the papiſts, was made ſecretary of ſtate, and in great favour, while the credit of the earl of Clarendon their enemy daily declined. This began to produce ſuſpicions diſadvantageous to the king. Beſides, his diſſolute life did not help to preſerve the high opinion conceived of him in the beginning of his reign. His court was a ſcene of debauchery, where his miſtreſſes ruled abſolutely, and nothing was done but through their means. They conſumed his vaſt revenues, with almoſt all the money granted by parliament, ſo that in the midſt of riches, he was always in want, and forced to ſeek new pretences to draw money from his parliament, to ſupply his private occaſions.

1667.

Suſpicions againſt the king.

The diſorders of his court. Burnet.

Theſe ſuſpicions and complaints reaching the king, he reſolved to appeaſe them by ſacrificing the earl of Clarendon, who had hitherto acted as prime miniſter. He knew, the people are always exceſſively pleaſed with ſacrifices of miniſters, who have enjoyed the greateſt credit, and on whom generally all the miſcarriages are thrown. But this was only a pretence uſed by the king to be delivered of a miniſter, whom he no longer loved, and whoſe preſence and counſels were become inſupportable to him. The chancel-

The chancellor's diſgrace. Echard, III. p. 190, 191. Kennet. Burnet.

1667. chancellor's regular life, his averſion to debauchery and libertiniſm, his grave and ſevere manners, his neglect of the king's favourites and miſtreſſes, and laſtly, his principles and maxims concerning religion and the ſtate, ill agreed with the diſorderly life of the court, and ſtill leſs with the projects formed in favour of the papiſts, under colour of eaſing the preſbyterians. For this reaſon, and for his rough and always too haughty behaviour, he had rendered himſelf odious to all the courtiers, who never ceaſed to do him ill offices, eſpecially when they ſaw him in the decline of his favour. He had often taken the liberty to reprove the king for his diſorderly life, and at firſt his reproofs were well received. But when the king had once abandoned himſelf to his pleaſures, he could no longer bear the preſence of a man, whoſe advice he had formerly received with a ſort of ſubmiſſion. The duke of Buckingham and ſome others perceiving this diſpoſition of the king, neglected nothing to cheriſh it. As often as they ſaw the chancellor coming, they would ſay to his majeſty, "Here "comes your ſchoolmaſter!" At other times they mimicked him before the king, in order to make him ridiculous. The duke of Buckingham uſed to walk in a ſtately manner, with a pair of bellows before him for the purſe, whilſt colonel Titus carried a fire ſhovel on his ſhoulder for the mace. The king ſuffered theſe buffooneries, and thereby diſcovered his diſguſt to his miniſter. But as theſe are only trifles, and as the king's diſguſt turned at laſt into real hatred, it is proper to relate the more ſerious cauſes which have been offered in vindication of the king's reſentment.

Cauſes of his fall. Echard, III. p. 197. Burnet, p. 248, &c.

1. It is pretended, the king deſigning to be divorced from his queen on ſeveral weak pretences, could never obtain the chancellor's approbation.

2. The king intended, after his divorce, to marry mrs. Stuart his relation, of whom he was amorous. The earl of Clarendon, to prevent this, perſuaded the young duke of Richmond to marry her, by repreſenting, how ſerviceable it would be to gain him the king's favour. The duke, following this advice, made his addreſſes to the lady, who, knowing nothing of the king's deſign, believed ſhe ought not to refuſe ſo good an offer, and the marriage was immediately concluded. The king thus diſappointed, baniſhed the duke with his new ducheſs from court, and never forgave the chancellor.

Welwood, p. 109.

3. Another, and, as was generally thought, the moſt apparent cauſe of the king's reſentment againſt the chancellor, was his oppoſing Popham's project of ſettling an annual revenue

venue of two millions of pounds ſterling upon the king, which was ſeconded by the earl of Southampton. 1667.

4. The moſt probable cauſe of the chancellor's ruin was, that the papiſts, whoſe counſels and projects were liſtened to, and approved by the king, omitted nothing to deſtroy him, knowing, that under his miniſtry they could never hope to accompliſh their deſigns.

5. A ſtately houſe built by him near St. James's park [m], and in the very year of the plague, did him great injury in the minds of the people. It is pretended, it coſt him fifty thouſand pounds ſterling, though at firſt he deſigned to lay out but fifteen or ſixteen thouſand. People gave it the name of Dunkirk houſe, becauſe it was ſuppoſed that his advice for the ſale of that place had furniſhed him with the means to build it. He committed another error, in purchaſing for this houſe the ſtones deſigned for repairing St. Paul's. Burnet, p. 249. Kennet's regiſter, p. 804.

However this be, the king, under colour of giving ſome ſatisfaction to his people in ſacrificing this miniſter, deprived him of his office of high chancellor, and made ſir Orlando Bridgeman lord keeper of the great ſeal. Has the great ſeal taken from him. Echard, III. p. 190.

The earl of Southampton lord treaſurer, dying three months before the chancellor's diſgrace, the king was at once deprived of two great and faithful Miniſters, whoſe loſs was never repaired, at leaſt, with regard to their morals, their religion, and affection for their country. A little before Southampton's death, ſome perſon in council ſpeaking againſt the chancellor, he with ſome emotion ſaid—— "The "earl of Clarendon is a true proteſtant, and an honeſt "Engliſhman, and while he is in place we are ſecure of our "laws, liberties, and religion: but whenever he ſhall be "removed, England will feel the ill effects of it." In this he proved a true prophet. The earl of Southampton's death. Id. p. 192. Burnet.

After the earl of Southampton's death, the king put the treaſury into commiſſion. Among the commiſſioners was ſir Thomas Clifford a known papiſt [n], on whom afterwards fell the king's choice for lord treaſurer.

[m] It ſtood at the upper end of St. James's ſtreet, where Albemarle ſtreet, and the ſtreets adjoyning now are. It was built in his abſence, in 1665, chiefly at the charge of the vintners company, who deſigning to monopolize his favour, made it more large and magnificent than ever he intended. So that when he came to ſee it, he ſaid with a ſigh, "This "houſe will one day be my ruin." Echard, tom. III. p. 192.

[n] The reſt of the commiſſioners were, the duke of Albemarle, the lord Aſhly Cooper, ſir William Coventry, and ſir John Duncomb. Sir Thomas Clifford was then comptroller of the houſhold. Ibid.

The

1667. The parliament meeting the 10th of October, the king ſpoke but little, and left it to the lord keeper, to acquaint both houſes with his intentions. His ſpeech ran chiefly upon a ſort of excuſe for the king's having, contrary to cuſtom, after a prorogation to October, ordered the parliament by proclamation to meet the 25th of July, and then, by another proclamation deferred the new ſeſſion to the time firſt appointed. He communicated to them the concluſion of the peace, and deſired them to ſettle the balance of trade with Scotland. He ſaid, the king having named commiſſioners to ſtate the publick accounts, and examine to what uſes the money granted by parliament had been applied, and this commiſſion not having ſucceeded as he expected, he left them to follow their own method, and examine them as ſtrictly as they pleaſed. He added, that ſome malicious perſons had diſperſed falſe reports againſt the government, with deſign to create a diſaffection in his ſubjects: but that his majeſty promiſed himſelf from their affection, they would, on the contrary, endeavour to preſerve a good underſtanding between him and his people. That if any juſt grievances have happened, his majeſty was ready to redreſs them, and did not doubt they would imprint upon the hearts of his ſubjects that known truth—— "That there is no diſtinct "intereſt between the king and his people, but the good of "one is the good of both."

The lord keeper's ſpeech to both houſes. Echard. Kennet.

Some days after, the two houſes preſented an addreſs to the king to thank him for ſeveral things: 1. That he had diſbanded the late raiſed forces: 2. That he had diſmiſſed the papiſts from out of his guards, and other military employments: 3. That he had revoked the canary patent: 4. And more eſpecially, That he had diſplaced the late lord chancellor, and removed him from the exerciſe of publick truſt and employment in affairs of ſtate. The king anſwered to this laſt article, "That he would never employ the earl of "Clarendon again in any publick affairs whatſoever."

The addreſs of both houſes to the king. Octob. 15. Kennet. Echard.

The king ſufficiently diſcovering his intention not to protect the earl of Clarendon, the houſe was thereby encouraged to ſeek reaſons or pretences to impeach him of treaſon. But it is too little to ſay, the king would not protect him. It is certain, he himſelf was his adverſary, and actuated the commons againſt him. This he clearly ſhowed, by reprimanding Sir Stephen Fox who was of his houſhold, and member of the houſe of commons, for having voted in favour of the earl of Clarendon. To which Sir Stephen replied, "That "he knew the earl to be an honeſt man, and was ſure "could

Echard, III. p. 198.

"could never be guilty of the crimes laid to his charge." 1667.
At laſt, the commons proceeded with great paſſion, ordered an accuſation to be drawn and preſented to the houſe, the ſubſtance whereof is as follows:

"I. That the earl of Clarendon hath deſigned a ſtanding army to be raiſed, and to govern the kingdom thereby; and adviſed the king to diſſolve this preſent parliament, and to lay aſide all thoughts of parliaments for the future; to govern by a military power, and to maintain the ſame by free quarter and contribution. Articles againſt the earl of Clarendon. Nov. 6. State-trials, II. p. 556, 557. Echard. Kennet.

"II. That he hath, in the hearing of the king's ſubjects, falſely and ſeditiouſly ſaid, That the king was in his heart a papiſt, or popiſhly affected, or words to that effect.

"III. That he hath received great ſums of money for the procuring of the canary patent, and other illegal patents; and granted illegal injunctions to ſtop proceedings at law againſt them, and other illegal patents formerly granted.

"IV. That he hath adviſed and procured divers of his majeſty's ſubjects to be impriſoned againſt law, in remote iſlands, garriſons, and other places, thereby to prevent them from the benefit of the law, and to produce precedents for the impriſoning any other of his majeſty's ſubjects in like manner.

"V. That he procured his majeſty's cuſtoms to be farmed at under rates knowing the ſame; and great pretended debts to be paid by his majeſty, to the payment of which his majeſty was not ſtrictly bound, and afterwards received great ſums of money for procuring the ſame.

"VI. That he received great ſums of money from the company of vintners, or ſome of them or their agents, for enhancing the prices of wines, and for freeing them from the payment of legal penalties, which they had incurred.

"VII. That he had in a ſhort time gained to himſelf a greater eſtate than can be imagined to be gained lawfully in ſo ſhort a ſpace: and, contrary to his oath, he hath procured ſeveral grants under the ſeal, from his majeſty to himſelf and relations, of ſeveral of his majeſty's lands, hereditaments and leaſes, to the diſprofit of his majeſty.

"VIII. That he hath introduced an arbitrary government in his majeſty's foreign plantations, and hath cauſed

"ſuch

1667. "ſuch as complained thereof before his majeſty and coun-
"cil, to be long impriſoned for ſo doing.

"IX. That he did reject and fruſtrate a propoſal and "undertaking approved by his majeſty, for the preſerva-"tion of Nevis and St. Chriſtopher's, and reducing the "French plantations to his majeſty's obedience, after the "commiſſions were drawn for that purpoſe; which was "the occaſion of our great loſſes and damages in thoſe "parts.

"X. That he held correſpondence with Cromwell and "his accomplices, when he was in parts beyond the ſeas, "attending his majeſty, and thereby adhered to the king's "enemies.

"XI. That he adviſed and effected the ſale of Dunkirk "to the French king, being part of his majeſty's domini-"ons; together with the ammunition, artillery, and all "ſorts of ſtores there, and for no greater value than "the ſaid ammunition, artillery, and the ſtores were "worth.

"XII. That the ſaid earl did unduly cauſe his majeſty's "letters patents, under the great ſeal of England to one dr. "Crowther, to be altered, and the enrollment thereof to "be unduly razed.

"XIII. That he hath in an arbitrary way examined "and brought into queſtion divers of his majeſty's ſubjects "concerning their lands, tenements, goods, chattels and "properties, determined thereof at the council table, and "ſtopped proceedings at law by order of the council table, "and threatened ſome that pleaded the ſtatute of the 17th of "Char. I.

"XIV. That he hath cauſed Quo Warrantos to be "iſſued out againſt moſt of the corporations of England, "immediately after their charters were confirmed by act "of parliament, to the intent he might require great ſums "of money of them for renewing their charters; which, "when they complied withal, he cauſed the ſaid Quo "Warrantos to be diſcharged, and proſecutions therein to "ceaſe.

"XV. That he procured the bills of ſettlement for Ire-"land, and received great ſums of money for the ſame, in "a moſt corrupt and unlawful manner.

"XVI. That he hath deluded and betrayed his majeſty, "and the nation, in all foreign treaties, and negotiations "relating to the late war, and betrayed and diſcovered his "majeſty's ſecret counſels to his enemies.

"XVII.

" XVII. That he was the principal author of that fatal " council of dividing the fleet about June 1666 *." 1667.

Upon the foundation of theſe articles, the commons, on the 12th of November, impeached the earl of high treaſon at the bar of the lords houſe, and deſired that he might be ſent to the Tower. But the lords did not think proper to commit him upon an accuſation of treaſon in general, without any particular charge. Echard, III. p. 198.

This raiſed a warm diſpute between the two houſes, which ſeveral conferences could not allay. At laſt, the commons came to this reſolution. " That the lords not " having complyed with the deſire of the commons, in " committing the earl of Clarendon, and ſequeſtering him " from parliament upon the impeachment from that houſe, " was an obſtruction of the publick juſtice of the kingdom, " and a precedent of evil and dangerous conſequence," At the ſame time, they appointed a committee to draw up a declaration to vindicate their proceedings. Id. p. 200.

But the earl of Clarendon ſeeing himſelf expoſed to the commons rage, and knowing, the king and the whole court were againſt him, thought it adviſeable to withdraw into France, and leave the following apology behind him, addreſſed to the lords P.

" I am very unfortunate to find myſelf to ſuffer ſo much, " under two very diſadvantageous reflections, which are in " no degree applicable to me. State trials, II. p. 574. Kennet, p. 290.

" The firſt, from the greatneſs of my eſtate and fortune, " collected and made in ſo few years, which if it be pro- " portionable to what is reported, may very reaſonably " cauſe my integrity to be ſuſpected.

" The ſecond, that I have been the ſole manager, and " chief miniſter in all the tranſactions of ſtate, ſince the

* The impeachment was carried up by Edward Seymour, eſq; who was alſo the firſt man that charged him in the houſe of commons, with many great and heinous crimes. The reſt of the chief ſpeakers againſt him, were, ſir Thomas Littleton, ſerjeant Maynard, ſir John Holland, ſir Thomas Oſborn, ſir Robert Howard, mr. Garraway, lord St. John, ſir Charles Wheeler, mr. Hampden, Marvel, Prynn, ſecretary Morice, Waller, and ſir John Vaughan, &c. Thoſe that ſpoke in his favour, were, ſir Heneage Finch, ſir Francis Goodrick, mr. Coventry, ſir Edward Thurland, ſir John Brampſton, ſir John Talbot, ſir John Shaw, ſir Thomas Clifford, ſir Stephen Fox, and the earl's ſon, Laurence Hyde. Echard, tom. 3. p. 195.——The baron d'Iſola, the Spaniſh ambaſſador at the court of England, was the author of the earl's diſgrace. See Baſnage ann. tom. 1. p. 810.

P As Rapin, by abridging this apology, has rendered it very obſcure, the tranſlator has thought fit to inſert it, as it is to be found in the proceedings againſt him. See ſtate trials, tom. 2. p. 574.

1667. " king's return into England, to Auguſt laſt, and therefore,
" that all miſcarriages and misfortunes ought to be imputed
" to me and my counſels.

" Concerning my eſtate, your lordſhips will not believe
" that after malice and envy hath been ſo inquiſitive and ſo
" ſharp ſighted, I will offer any thing to your lordſhips, but
" what is exactly true; and I do aſſure your lordſhips in
" the firſt place, that (excepting from the king's bounty)
" I have never received nor taken one penny but what was
" generally underſtood to be the juſt lawful perquiſites of my
" office, by the conſtant practice of the beſt times, which I
" did in my own judgment conceive to be that of my lord
" Coventry, and of my lord Elleſmere; the practice of which
" I conſtantly obſerved, although the office in both their times
" was lawfully worth double to what it was to me, and I
" believe now is.

" That all the courteſies and favours which I have been
" able to obtain from the king for other perſons in church
" or ſtate, or in Weſtminſter hall, have never been worth
" to me five pounds: ſo that your lordſhips may be confi-
" dent I am as innocent from corruption as from any diſloyal
" thought, which after near thirty years ſervice of the crown,
" in ſome difficulties and diſtreſſes, I did never expect would
" be objected to me in my age.

" And I do aſſure your lordſhips, and ſhall make it very
" manifeſt, that the ſeveral ſums of money, and ſome par-
" cels of land, which his majeſty hath bountifully beſtowed
" upon me ſince his return into England, are worth more
" than all I have amounts unto; ſo far I am from advancing
" my eſtate by indirect means. And though this bounty of
" his hath very far exceeded my merit, or my expectation,
" yet ſome others have been as fortunate at leaſt in the ſame
" bounty, who had as ſmall pretences to it, and have no
" great reaſon to envy my condition.

" Concerning the other imputation of the credit and
" power of being chiefeſt miniſter, and of cauſing all to
" be done that I had a mind to; I have no more to ſay,
" than that I had the good fortune to ſerve a maſter of a
" very great judgment and underſtanding, and be always
" joined with perſons of great ability and experience, with-
" out whoſe advice and concurrence, never any thing hath
" been done.

" Before his majeſty's coming into England he was con-
" ſtantly attended by the then marquis of Ormond, the late
" lord Culpepper, and mr. ſecretary Nicholas, who were
" equally

" equally truſted with myſelf, and without whoſe joint ad- 1667.
" vice and concurrence, when they were all preſent (as ſome
" of them always were) I never gave any council. As ſoon
" as it pleaſed God to bring his majeſty into England, he
" eſtabliſhed his privy council, and ſhortly out of them he
" choſe a number of honourable perſons of great reputation,
" (who for the moſt part are ſtill alive) as a committee for
" foreign affairs, and conſideration of ſuch things as in the
" nature of them required much ſecrecy; and with theſe
" perſons he vouchſafed to join me: and I am confident
" this committee never tranſacted any thing of moment (his
" majeſty being always preſent) without preſenting the ſame
" firſt to the council board; and I muſt appeal to them con-
" cerning my carriage, and whether we were not all of one
" mind, in matters of importance.

" For more than two years I never knew any differences
" in the council, or that there were any complaints in the
" kingdom, which I wholly impute to his majeſty's great
" wiſdom, and the entire concurrence of his counſellors,
" without the vanity of aſſuming any thing to myſelf; and
" therefore I hope I ſhall not be ſingly charged with any
" thing that hath ſince fallen out amiſs. But from the time
" mr. ſecretary Nicholas was removed from his place, there
" were great alterations; and whoſoever knew any thing of
" the court and council, know well how much my credit
" hath ſince that time been diminiſhed, though his majeſty
" graciouſly vouchſafed ſtill to hear my advice in moſt of
" his affairs: nor hath there been, from that time to this,
" above one or two perſons brought to the council, or pre-
" ferred to any conſiderable office in the court, who have
" been of my intimate acquaintance, or ſuſpected to have
" any kindneſs for me; and moſt of them moſt notoriouſly
" known to have been very long my enemies, and of diffe-
" rent judgment and principles from me in church and ſtate,
" and have taken all opportunities to leſſen my credit with
" the king, and with all other perſons, by miſrepreſenting
" and miſreporting all that I ſaid or did, and perſuading
" men I have done them ſome prejudice with his majeſty,
" or croſt them in ſome of their pretenſions. Though his
" majeſty's goodneſs and juſtice was ſuch that it made little
" impreſſion upon him.

" In my humble opinion, the great misfortunes of the
" kingdom have proceeded from the war, to which it is
" notoriouſly known that I was always moſt averſe, and
" may without vanity ſay, I did not only foreſee, but de-

1667. "clare the miſchiefs we ſhould run into, by entering into a "war, before any alliances made with the neighbouring "princes. And that it may not be imputed to his ma- "jeſty's want of care, or the negligence of his counſellors, "that no ſuch alliances were entered into, I muſt take the "boldneſs to ſay, his majeſty left nothing unattempted in "order thereunto; and knowing very well, that France "reſolved to begin a war upon Spain, as ſoon as his ca- "tholick majeſty ſhould depart this world, which being "much ſooner expected by them, they had in the two "winters before been at great charges in providing plen- "tiful magazines of all proviſions upon the frontiers, that "they might be ready for the war, his majeſty uſed all "poſſible means to prepare and diſpoſe the Spaniard "with that apprehenſion, offering his friendſhip to that "degree, as might be for the benefit and ſecurity of both "crowns.

"But Spain flattering itſelf, that France would not break "with them, at leaſt, that they would not give them any "cauſe by adminiſtring matter of jealouſy to them, never "made any real approach towards a friendſhip with his "majeſty; but, both by their ambaſſadors here, and to "his majeſty's ambaſſador at Madrid, always perſiſted, "as preliminaries, upon the giving up of Dunkirk, Tan- "gier, and Jamaica.

"Though France had an ambaſſador here, to whom a "project of a treaty was offered, and the lord Holles, his "majeſty's ambaſſador at Paris, uſed all endeavours to "purſue and proſecute the ſaid treaty, yet it was quickly "diſcerned, that the principal deſign of France, was to "draw his majeſty into ſuch a nearer alliance as might "advance their deſign; without which, they had no mind "to enter into the treaty propoſed.

"And this was the ſtate of affairs when the war was "entered into with the Dutch, from which time neither "crown much conſidered the making any alliance with "England.

"As I did from my ſoul abhor the entering into this "war, ſo I preſumed never to give any advice or counſel "for the way of managing it, but by oppoſing many pro- "poſitions, which ſeemed to the late lord treaſurer and "myſelf to be unreaſonable, as the payment of the ſea- "men by tickets, and many other particulars which added "to the expence.

"My

" My enemies took all occaſions to inveigh againſt me, 1667.
" and making their friendſhip with others out of the coun-
" cil, of more licentious principles, and who knew well
" enough how much I diſliked and complained of the liber-
" ty they took to themſelves of reviling all councils and
" counſellors, and turning all things ſerious and ſacred into
" ridicule. They took all ways imaginable to render me
" ungrateful to all ſorts of men, (whom I ſhall be com-
" pelled to name in my defence) perſuading thoſe that miſ-
" carried in any of their deſigns, that it was the chan-
" cellor's doing; whereof I never knew any thing. How-
" ever, they could not withdraw the king's favour from me,
" who was ſtill pleaſed to uſe my ſervice with others, nor
" was there ever any thing done but with the joint advice
" of at leaſt the major part of thoſe who were conſulted
" with. And as his majeſty commanded my ſervice in the
" late treaties, ſo I never gave the leaſt advice in private,
" nor wrote one letter to any one perſon in either of thoſe
" negotiations, but upon the advice of the council, and
" alſo after it was read in council, or at leaſt, by the king
" himſelf, and ſome others; and if I prepared any inſtruc-
" tions or memorials, it was by the king's command,
" and the requeſt of the ſecretaries who deſired my aſſiſ-
" tance; nor was it any wiſh of my own, that any am-
" baſſador ſhould give me any account of the tranſactions
" but to the ſecretaries, whom I was always ready to
" adviſe; nor am I conſcious to myſelf of ever having
" given advice that hath proved miſchievous or incon-
" venient to his majeſty; and I have been ſo far from
" being the ſole manager of affairs, that I have not, in
" the whole laſt year, been above twice with his majeſty
" in any room alone, and very ſeldom in the two or three
" years preceding.

" And ſince the parliament at Oxford, it hath been very
" viſible, that my credit hath been very little, and that
" very few things have been hearkened to, which have
" been propoſed by me, but contradicted, eo nomine, be-
" cauſe propoſed by me.

" I moſt humbly beſeech your lordſhips to remember the
" office and truſt I had for ſeven years, in which, in
" diſcharge of my duty, I was obliged to ſtop and obſtruct
" many mens pretences, and refuſed to ſet the ſeal to many
" pardons and other grants, which would have been pro-
" fitable to thoſe who procured them, and many whereof,
" upon my repreſentation to his majeſty, were for ever

1667. "ſtopt, which naturally have raiſed many enemies to me:
"and my frequent concurring, upon the deſires of the
"late lord treaſurer, (with whom I had the honour to
"have a long and vaſt friendſhip to his death) in re-
"preſenting ſeveral exceſſes and exorbitances, the yearly
"iſſue ſo far exceeding the revenues, provoked many
"perſons concerned, of great power and credit, to do me
"all the ill offices they could. And yet I may faithfully
"ſay, that I never meddled with any part of the revenue
"or the adminiſtration of it, but when I was deſired by
"the late lord treaſurer to give him my aſſiſtance and ad-
"vice, having had the honour formerly to ſerve the crown,
"as chancellor of the exchequer, which was for the moſt
"part in his majeſty's preſence. Nor have I ever been
"in the leaſt degree concerned, in point of profit, in let-
"ing any part of his majeſty's revenue; nor have ever
"treated or debated it, but in his majeſty's preſence, in
"which my opinion concurred always with the major part
"of the counſellors who were preſent.

"All which, upon examination, will be made manifeſt
"to your lordſhips, how much ſoever my interity is
"blaſted by the malice of thoſe who, I am confident, do
"not believe themſelves. Nor have I in my life, upon
"all the treaties, or otherwiſe, received the value of one
"ſhilling from all the kings or princes in the world, (ex-
"cepting the books of the Louvre-print ſent me by the
"chancellor of France, by that king's direction) but from
"my own maſter, to whoſe intire ſervice, and the good
"and welfare of my country, no man's heart was ever
"more devoted.

"This being my preſent condition, I do moſt humbly
"beſeech your lordſhips to entertain a favourable opinion
"of me, and to believe me to be innocent from thoſe
"foul aſperſions, until the contrary ſhall be proved; which
"I am ſure can never be by any man worthy to be be-
"lieved: and ſince the diſtempers of the times, and the
"difference between the two houſes in the preſent debate,
"with the power and malice of my enemies, who gave
"out that I ſhould prevail with his majeſty to prorogue
"or diſſolve this parliament in diſpleaſure, and threaten
"to expoſe me to the rage and fury of the people, may
"make me to be looked upon as the cauſe which ob-
"ſtructs the king's ſervice, and unity and peace of the
"kingdom.

"I

" I moſt humbly beſeech your lordſhips, that I may " not forfeit your lordſhips favour and protection, by with- " drawing myſelf from ſo powerful a perſecution, in hope " that I may be able, by ſuch withdrawing, hereafter to " appear and make my defence, when his majeſty's juſtice " (to which I ſhall always ſubmit) may not be obſtructed, " or controlled, by the power and malice of thoſe who " have ſworn my deſtruction." 1667.

The lords having received this apology, the 3d of December, deſired a conference with the commons, to communicate it to them. The duke of Buckingham, who was to deliver it, ſaid, " The lords have commanded me to " deliver you this ſcandalous and ſeditious paper, ſent from " the earl of Clarendon: they bid me to preſent it to you, " and deſire you in convenient time to ſend it to them " again, for it has a ſtyle which they are in love with, and " therefore deſire to keep it." It is communicated to the commons. Echard, III. p. 204. Kennet.

The reading of this apology threw the commons into a flame. Some of the earl's enemies [q] took occaſion to make the moſt virulent ſpeeches againſt him, and at laſt, the houſe voted his apology ſcandalous and malicious, and a reproach to the juſtice of the nation, and ordered it to be burnt by the common hangman. Is publickly burnt.

The 13th of December, the lords ſent to the commons a bill for the baniſhment of the earl of Clarendon, which met with great oppoſition in that houſe. Some of the members even propoſed a bill of attainder againſt him. At laſt, the houſe voted, " that the king ſhould be prayed " to iſſue out his proclamation for ſummoning the ſaid earl " to appear by a day, and to apprehend him in order to his " trial, and that the lords be ſent to for their concurrence " in this vote." But the lords refuſed their concurrence, becauſe the vote was contrary to their bill. ibid.

At laſt, on the 18th of December, the bill ſent by the lords paſſed the houſe of commons, and the king willingly gave his aſſent. The truth is, it was the king who had employed the duke of York, to prevail with the earl of Clarendon to withdraw, whether the earl's friends had at laſt ſoftened the king, or he was not deſirous of having the articles of impeachment diſcuſſed, which might have diſcovered things he had rather conceal. A bill is paſſed for the earl's baniſhment. Burnet, p. 256. Kennet. Echard.

[q] Particularly ſir John Vaughan, ſir Robert Howard. Echard, tom. III. p. 204.

1667. Thus was the earl of Clarendon ſacrificed to the malice of his enemies. But they were ſuch enemies, that it may be ſaid, their perſecution did him more honour, than the crimes, which for the moſt part were groundleſs, could do him injury. Theſe enemies were, firſt, the king himſelf, who on this occaſion forgot all the ſervices this faithful miniſter had done his father and himſelf, at a time when his affection and fidelity could not be ſuſpected, ſince there was no appearance of his being ever rewarded. What is more ſtrange, the king came to hate him, merely becauſe he ſerved him too well, and, in a juſt concern for his glory, did what lay in his power to prevent his falling into contempt, and engaging in projects which could not but render him unfortunate. His other enemies were, the king's miſtreſſes and favourites, perſons of profligate lives, of no religion, or of one contrary to that of the eſtabliſhment, who hated him only becauſe they thought him too honeſt, or believed him incapable of being gained to aſſiſt their deſigns. For it is generally allowed, that not a ſingle article of his accuſation, except that of the ſale of Dunkirk, could be proved.

Reflections upon his diſgrace.

If the preſbyterians had procured the lord Clarendon's ruin, there had been nothing ſtrange in it, ſince he was their profeſſed enemy. For it may be affirmed, that from him came all their misfortunes, ſince the beginning of this reign. But the preſbyterians had then no credit, no acceſs either to court or parliament. What is moſt ſurprizing in the downfall of this miniſter, is the animoſity wherewith he was purſued by the ſame houſe of commons, which he himſelf had, if I may ſo ſay, compoſed of men of the moſt extravagant principles, with reſpect to religion and government. But he found himſelf miſtaken in his views. For, theſe ſame principles, with regard to the royal power, ſo firmly attached the houſe to the king, that they made no ſcruple to abandon the earl of Clarendon, though head of the party, when once the king expreſſed his diſpleaſure againſt him. This is not the only inſtance of the ableſt politicians labouring their own ruin, by ſeemingly the beſt contrived projects.

Among the great ſervices rendered by the earl of Clarendon to Charles I. and Charles II. his excellent hiſtory of the rebellion and civil wars in England, ought to be remembered, which was not publiſhed till after his death. In this hiſtory are undeniable proofs of the author's ſincere affection for Charles I. Nay, very likely, it was writ with the

Remarks upon his hiſtory of the rebellion.

the ſole deſign to juſtify the conduct of that unfortunate prince, and place it in the beſt light it is capable of. If any thing can injure this hiſtory, it is, that the views of the author are too undiſguiſed. This gives impartial readers occaſion to think, it was not writ ſo much for the inſtruction of the publick in the truth of facts, as to prepoſſeſs them, by various artifices, and numberleſs inſinuations, in favour of a ſyſtem, which all readers, verſed in the hiſtory and government of England, will, doubtleſs, not admit. Another charge againſt this author, is, the contempt and animoſity which he every where ſhows againſt the preſbyterians and the Scots, even in places where it ſeems foreign to his purpoſe. But this came from his heart. His immoderate paſſion againſt preſbyterianiſm, was this great man's foible. He gloried in his hatred of the presbyterians, and perhaps contributed more than any other, to that exceſs of animoſity which ſtill ſubſiſts among the followers of his maxims and principles. 1667.

His great fortune.

From a private gentleman, and a lawyer, the earl of Clarendon roſe to the higheſt degree of fortune, that a man of his rank could aſpire to. For, by his merit and his inviolable attachment to Charles I. and Charles II. he was raiſed to the dignity of earl, of lord high chancellor, and of prime miniſter of ſtate. But what gives a farther luſtre to his glory, is, that from the marriage of his daughter with the duke of York, ſprung two princeſſes ſucceſſively queens of England. He ſpent the reſt of his days in baniſhment, among proteſtant preſbyterians, and papiſts, whoſe declared enemy he had been, during the time of his favour, but who failed not to pay him all the reſpect due to his merit, and the dignities with which he had been honoured in his own country. He died at Roan the latter end of December 1674, aged ſixty ſeven.

The parliament adjourns. A remark upon it. Kennet. Echard.

The day after the act for the earl of Clarendon's baniſhment paſſed in the houſe of commons, the king gave his aſſent to it by commiſſion. Then, he ſent a meſſage to the commons, by ſecretary Morrice, to wiſh them to adjourn to the 6th of February. In the reign of James I. there was a difference between the king and commons, concerning the right of adjournment. The commons pretended, that though the king had power to diſſolve or prorogue a parliament, he could not adjourn it, and that adjournment entirely belonged to each houſe. But the lords refuſing their concurrence, the commons were obliged to drop their pretenſion. From that time James I. and Charles I. always

1667. always ſuppoſed this right as undeniable, and yet the point had never been decided in form. It ſeems therefore, that Charles II. by deſiring the parliament to adjourn, was willing to ſhow ſome regard to the pretenſions of the commons, or at leaſt to avoid all occaſion of diſpute with them. But this condeſcenſion laſted not long; for it will hereafter appear, that he frequently adjourned the parliament by his own authority, without any diſlike expreſſed by the commons. Now the difference between an adjournment and a prorogation conſiſts in this, that a prorogation ends the ſeſſion, and annuls all affairs which have been propoſed or debated in parliament without being finiſhed, ſo that they cannot ſerve for ground to the reſolutions of a new ſeſſion, unleſs they are propoſed afreſh. But an adjournment only ſuſpends them till the parliament re-aſſembles. For this reaſon, when the commons have voted the king a ſupply, the parliament is ſeldom or never prorogued, but only adjourned when ſome ſhort receſs is neceſſary, that at their meeting again, they may proceed upon the vote till it be paſſed into an act.

A proclamation againſt papiſts. Echard, III. p. 206.

Before the parliament met in October, the king publiſhed a proclamation, for the rigorous execution of the laws againſt thoſe who repaired to hear maſs at the chapels of ambaſſadors. He ſtill perſiſted in his diſſimulation with regard to religion, and in his deſign to perſuade his ſubjects, that he was a good proteſtant. It was properly for this that theſe proclamations were intended. But the nonperformance of them had a quite contrary effect. For it could not be thought neceſſary ſo frequently to repeat them, if the king had been pleaſed with ſeeing them executed according to law.

The Royal Exchange built. Octob. 23. Ibid.

The ſame month of October, the king rode in great ſtate into the city, and laid the firſt ſtone of the foundation of the Royal Exchange. This building was finiſhed in a very ſhort time.

Strype. Death of biſhop Wren. Echard.

This year, death, as I have ſaid, took out of the world Thomas Wriotheſley earl of Southampton, lord treaſurer. The other leſs remarkable deaths were thoſe of Dr. Matthew Wren biſhop of Ely, (great enemy of the preſbyterians, who, out of revenge for his ſeverity to them before the civil wars, kept him priſoner in the Tower from the year 1642 till the reſtoration, when he was reſtored to his biſhoprick of Ely, where he died aged eighty one years) and of the famous poet Abraham Cowley, little known to ſtrangers,

ſtrangers, but very much, and deſervedly, eſteemed by the Engliſh. 1667.

After the removal of the earl of Clarendon, the king and his miniſters, of whom the earl of Arlington, and ſir Orlando Bridgeman were the principal, believed it abſolutely neceſſary to give the people ſome ſatisfaction, by demonſtrating the court's attention to the welfare of the nation. The king of France, by his invaſion of Flanders, had ſo clearly ſhown, he did not intend to ſtand to his queen's renunciation of all the members of the Spaniſh monarchy, that he could not poſſibly be miſtaken. Beſides, his power was daily increaſing, whereas that of Spain was viſibly declining. It was therefore the intereſt of Europe in general, and of England in particular, to take early and effectual meaſures, to ſet bounds to this formidable power, which might produce great changes, if care was not taken to ſtop its progreſs. Nothing was more popular than ſuch a deſign, and nothing more capable to re-ingratiate the king with his ſubjects. So, the 1ſt of January 1667-8, a reſolution was taken, to enter into a ſtrict union with the ſtates general of the United Provinces, to prevent the king of France's entire reduction of Flanders, and the reſt of the Spaniſh Netherlands. The court likewiſe reſolved, to endeavour to engage the king of Sweden into the ſame meaſures, and ſo form a triple alliance capable to intimidate Lewis XIV. and oblige him to proceed with more caution.

And Mr. Cowley. 1667-8.

The king reſolves to give ſome ſatisfaction to the people.

To execute this project, ſir William Temple was ordered to the Hague, with the character of envoy extraordinary and plenipotentiary. I ſhall not deſcend to the particulars of the negotiation, which are related in the writings of ſir William Temple, publiſhed in a French verſion. I ſhall only obſerve, that by the addreſs of the envoy, the treaty of alliance between the king and the ſtates was concluded in five days, and what is more, ſigned by this ſtates general, without communicating it to the particular provinces, which had never been practiſed before. Moreover, the count de Dhona, ambaſſador of Sweden, engaged for his maſter, that he ſhould enter into the treaty, if a place was left for him as a principal. Afterwards, that court ſigned a like treaty in the name of the king of Sweden with the king of England and the ſtates general, it being agreed, that this treaty ſhould be conſidered as part of the former when ratified. Theſe treaties were firſt ſent into England, and ratified by the king, and ſhortly after, the

A triple alliance concluded between England, Holland, and Sweden. Temple's lett. fol. p. 45, &c.

1667. the king of Sweden's ratification was likewiſe received. Thus was concluded, in a very little time, a triple league, the moſt important that had been long ſince made in Europe, and which was to check the power, as well as vaſt deſigns of France.

Explications of this treaty. Echard, p. 188.

For the underſtanding this treaty, of which I ſhall preſently give the ſubſtance, it muſt be obſerved, that Lewis XIV. after his laſt campaign, during which he had ſeized many ſtrong places of the Spaniſh Netherlands [r], had, at the preſſing inſtances of the ſtates general, conſented to a treaty with Spain, till the end of March 1668. Moreover, he had left to the queen regent of Spain, the choice of either yielding to him the places conquered by him in the laſt campaign, or elſe the duchy of Luxemburgh, or, inſtead of it, Franche Comté, Cambray and Cambreſis, Douay, Aire, St. Omer, Bergue, Furnes, and Linck, for which he promiſed to ſurrender all the reſt of his conqueſts. Theſe offers, as it appears, were founded upon the ſuppoſition, that the French queen's renunciation, in the treaty of her marriage, was of no force. Though the thing had been decided only by the king of France himſelf, the ſtates general, ſeeing no poſſibility of obliging him to deſiſt from his pretenſions, had approved of this alternative, and poſitively engaged to join their forces with thoſe of France, to compel Spain to embrace one or other of theſe offers. They could not therefore recede, after ſuch an engagement. For which reaſon, they reſolved to make with England three different treaties, which, however, were to take place, as containing but one and the ſame treaty.

Three treaties upon different cauſes.

1ſt treaty. Temple's letters, p. 69, &c. Collect. of Treat. t. 1. p. 136.

The firſt treaty contained a defenſive alliance between England and the ſtates general, againſt all who ſhould attack either of the parties, with a ſpecification of the ſuccours to be mutually given, in caſe of ſuch an attack. This alliance to be perpetual.

2d treaty.

By the ſecond treaty, the king and the ſtates were obliged to uſe their joint endeavours to diſpoſe the king of France to make peace in the Netherlands, upon one of the propoſed conditions, and likewiſe the king of Spain to make choice of one of the two before the end of May. But, in caſe of any difficulty from the Spaniard, they engaged to uſe their endeavours to induce the king of France to ſtop all farther progreſs of his arms in Flanders, and leave it wholly

[r] Charleroy, Oudenard, Tougnay, Douay, Courtrich, Liſle, &c. Kennet, p. 293.

to

to the allies, to procure the ends propoſed in this league. 1667-8

The third treaty contained, 1, That if in procuring peace between France and Spain, any difficulties ſhould ariſe concerning the renunciation, care ſhould be taken ſo to ſettle the articles of peace, as to create no prejudice to the rights of either. But if one ſide only ſhould reject this expedient, then the allies ſhould proceed againſt the refuſer, in the manner agreed in the ſecond treaty. 2. That the allies ſhould uſe their endeavours to eſtabliſh peace between Spain and Portugal. And though they did not pretend to hinder the king of France from aſſiſting Portugal, they would however prevent, as far as lay in their power, his aſſiſting that nation by making war in the Netherlands. 3. But, in caſe the king of France rejecting the conditions contained in the ſecond treaty, ſhould make farther progreſs in Flanders, then the allies ſhould join with Spain, and make war upon the king of France, till they ſhould compel him to comply with the terms of the Pyrenean treaty. 4. That all theſe articles ſhould be ratified within four weeks *. 3d treaty.

This treaty which, as I ſaid, was ſigned by the king of Sweden as a principal, and was called the triple league, received the applauſes of all Europe, except France. Indeed, the tendency of it was not only to ſave the Netherlands, purſuant to the true intereſts of England and the ſtates general, but alſo to prevent a fatal war, which muſt have thrown all Europe into a flame. It is perhaps the only ſtep taken by Charles, through the whole courſe of his reign, really tending to the advantage of England. It will hereafter appear, that, probably, he had no other intention than to dazzle the publick and amuſe the world, by a proceeding ſo much to his honour. But in ill ſupporting what he had ſo happily begun, he manifeſtly ſhowed, that he erred not through ignorance, or want of knowing the intereſts of his kingdom, and thoſe of all Europe.

Shortly after, ſir William Temple concluded a treaty of commerce with the ſtates general, and about the ſame time the treaty of peace between Spain and Portugal was happily finiſhed, under the guaranty of the king of England. A peace between Spain and Portugal. Collect. of Treat. t. I. p. 146.

While theſe affairs were tranſacting, the parliament met the 10th of February. The king, in his ſpeech to both houſes, informed them, that he had made a league defenſive with the ſtates of the United Provinces, and another The king's ſpeech to the parliament. Echard.

* This triple alliance was ſigned January 23. Temple's lett, p. 59.

for

1667-8. for an efficacious mediation of peace between France and Spain, into which the king of Sweden had, by his ambaſſador, offered to enter as a principal. He added, that the poſture of his neighbours, and the conſequence of the new alliance, obliging him to ſet out a fleet to ſea, he ſhould want a ſpeedy ſupply; that beſides, it was neceſſary to build ſome large ſhips, and fortify the ports. He concluded with deſiring them to think ſeriouſly of ſome courſe, to beget a better union and compoſure in the minds of his ſubjects in matters of religion.

Miſmanagements examined into by the commons. Echard, t. III. p. 221.

The commons joyfully received the news of the triple alliance; but before they proceeded to the conſideration of the king's ſpeech, they reſolved to enquire into the miſmanagements during the late war. They appointed for that purpoſe a committee, which diſcovered many miſdemeanours in the conduct of ſeveral perſons, "as in the affair of Bergh-"en in Norway; in the plundering the Eaſt India ſhips "while the Dutch paſſed by; in the not ſetting out a ſuffi-"cient fleet laſt year; in the ſeparation of thoſe that were "out, ſo that they became uſeleſs; in the want of provi-"ſion and ammunition in the fleet, and in the forts; in pay-"ment of the ſeamen by tickets; in the want of intelligence "and dividing the fleets in the ſecond year of the war; in "the buſineſs of Chatham, &c." The commons accuſed Brounkard, that, after the firſt battle, he had carried falſe orders from the duke of York, while that prince was repoſing himſelf, which had prevented the entire deſtruction of the enemy's fleet, and expelling him the houſe ordered him to be impeached. As to the affair of Chatham, they accuſed commiſſioner Pett for having neglected his duty. Sir William Penn was accuſed of having embezzled great quantities of rich goods taken in a Dutch prize [t].

1668. The king was doubly concerned to put an end to theſe examinations, ſince moſt of the miſcarriages reflected upon him, though only ſome particular officers were directly accuſed, and beſides, the commons waſted the time, which, according to him, would have been better employed in conſidering the ſupplies he had demanded. He therefore preſſed the commons, by three ſeveral meſſages, to haſten the money bill, telling them in his laſt meſſage, that he intended to prorogue the parliament the 4th of May. But, being informed the houſe was not pleaſed with his meſſage, becauſe

The king preſſes the money bill. Echard.

t Whereby the king was defrauded of above a hundred and fifteen thouſand pounds. Echard, tom. III, p. 223.

a pro-

a prorogation would have defeated all their proceedings against delinquents, he let them know, the 24th of April, that he intended only an adjournment for three months; and withal desired, that the money bill might be ready against the 4th of May. 1668.

Besides the supply, the house of commons was employed in another affair, with which they were greatly affected. They began to discover the king's secret intentions, and believed, that under colour of easing the presbyterians, his design was to obtain a general indulgence for all the nonconformists, including the papists under that general denomination. An insinuation in his speech confirmed this suspicion. Wherefore, to stop the progress of a design so contrary to their principles, with regard both to popery and presbyterianism, they presented an address to the king, to pray him "That he would issue out his proclamation for enforcing "the laws against conventicles; and that care might be "taken for the preservation of the peace against all unlawful assemblies of papists and nonconformists."—The king, according to his usual custom, failed not to publish a proclamation, declaring, "That upon information, that divers "persons abusing the clemency used to the dissenters (even "whilst it was under consideration to find out a way for the "better union of his protestant subjects) had of late openly "held unlawful assemblies and conventicles, he would by "no means permit such notorious contempts of himself and "his laws to go unpunished, &c." He supposed, the parliament was upon this union, because he had recommended it to them. But the commons were far from thinking of this affair, unless by this union the king meant an entire conformity with the church of England, which was not his intention.

Is addressed by both houses, to put the laws in execution against papists and nonconformists. Echard.

He puts out a proclamation.

At the same time a great dispute arose between the two houses, occasioned by mr. Skinner a merchant of London, who believing to have just cause of complaint against the East India company, brought the matter by petition into the house of lords originally. The lords, after an examination, relieved him in five thousand pounds costs. On the other hand, the company having petitioned the commons, Skinner was taken into custody, for applying originally to the lords, in a common plea, which was not agreeable to the law. The petition presented to the commons by the East India company was voted scandalous by the lords, and several conferences between the two houses, were not capable to decide this difference. At last, the commons voted, "That

A difference between the two houses. Echard.

1668. "That whoever ſhould be aiding or aſſiſting in put-
"ting in execution the order or ſentence of the houſe
"of lords, in the caſe of Thomas Skinner againſt the
"Eaſt India company, ſhould be deemed a betrayer of the
"rights and liberties of the commons of England, and an
"infringer of the privileges of the houſe."

The king paſſes ſome bills, and then adjourns, and afterwards prorogues the parliament.

The ſame day this vote paſſed in the houſe of commons, being the 8th of May, the king came to the houſe of peers, and paſſing the bill for raiſing three hundred and ten thouſand pounds by an impoſition on wines and other liquors, and ſome other acts, he adjourned the parliament to the 14th of Auguſt. He adjourned it again a ſecond time to the 1ſt of March, and at laſt, prorogued it to the 19th of October 1669 [u].

Lewis XIV. makes himſelf maſter of Franche Comté. Baſnage. Echard.

I have already mentioned the affairs between France and Spain, and the alternative offered by the French king. The marquis of Caſtel Rodrigo, or rather the court of Spain, not being in haſte to make a choice, Lewis XIV. in February invaded Franche Comté [w], and in leſs than a fortnight ſubdued the whole province. This conqueſt however did not make him riſe in his demands, but he was ſtill willing to ſtand to the offer of the two conditions he had propoſed. But the court of Spain delayed, as much as poſſible, to declare upon the offered alternative, deſigning to engage England and the ſtates in a war againſt France. Mean while, as the treaty of the triple league was directly contrary to the deſign of Spain (the three allies having only engaged to take up arms in caſe the king of France refuſed to ſtand to his propoſal) it was not poſſible for the court of Spain to accompliſh their ends. At laſt, after many tergiverſations, the marquis of Caſtel Rodrigo declared, he accepted the firſt condition, by which France was to keep what had been conquered the laſt campaign. This choice greatly ſurpriſed the ſtates, who had relied on the Spaniards accepting rather the ſecond condition, which appeared leſs advantageous to them. But the policy of the Spaniſh court was to throw England and the ſtates into an unavoidable neceſſity of making war againſt France, if ſhe ſhould offer to purſue her conqueſts in the Netherlands.

The court of Spain accepts one of the alternatives. Temple's lett.

Peace concluded at Aix la Chapelle. Temple. Collect. of Treat. t. I. p. 156. Arlington's lett.

This choice being made, the peace was no longer difficult. The town of Aix la Chapelle was agreedon for the place of

[u] In the beginning of May, the queen miſcarried a ſecond time. Idem, p. 226.

[w] Which then belonged to the king of Spain. Echard, tom. III. p. 226.

treaty,

treaty, and the plenipotentiaries of France and Spain, of England, Sweden, and the ſtates, repairing thither, the treaty was concluded and ſigned the 2d of May, after a fortnight's negotiation. The treaty contained in ſubſtance, That the king of France ſhould keep poſſeſſion of Charleroy, Binch, Aeth, Douay, Fort-de-la Scarpe, Tournay, Oudenarde, Liſle, Armentieres, Courtray, Berghes, Furnes, with all their dependencies. The king of France, on his ſide, reſtored Franche-Comté to the crown of Spain. The allied ſtates were guarantees of this peace, and all other princes and ſtates were allowed to be ſo, if they pleaſed [n]. 1668.

Though the treaty of Aix la Chapelle had conſiderably increaſed the power of France, the ſtates general of the United Provinces believed it a great advantage, to have ſtopped the progreſs of the French arms. They aſcribed to themſelves the whole glory, though, indeed, the triple league would never have been thought of by them, had it not been firſt propoſed by the king of England. To immortalize their glory, they ſtruck a medal, on one ſide of which was ſeen Holland leaning againſt a trophy, and on the reverſe, an inſcription to this effect: "That they had ſecured "the laws; reformed religion; aſſiſted, defended, and re"conciled kings; reſtored freedom to the ocean; procured "by their arms a glorious peace, and eſtabliſhed the tran"quillity of all Europe." On the other hand, Joſuah Van Beuninghen, who had been employed in negotiating the peace, ſtruck a medal, and compared himſelf to Joſhua ſtopping the courſe of the ſun. As the king of France had taken the ſun for his device, the meaning of the medal could not be miſtaken. But the ſtates immediately ſuppreſſed it. As for the firſt, and ſome others, which diſcovered too great preſumption, they were not broke till two years after. They had afterwards cauſe to repent of this inſult offered to Lewis XIV.

The Dutch challenge the honour of it, Baſnage.

and ſtrike a medal. Hiſt. Metall. Baſnage, II. p. 28, 29. La Neuville, als. Baillet.

When I ſaid, that Charles, in all appearance, propoſed the triple league only to amuſe the publick, and appeaſe in

Reaſons which ſhow Charles only amuſed the publick. Temple's lett.

[n] From this time, England had the beſt opportunity of holding the ballance of Europe, which if it had immoveably obſerved, and with reaſonable vigour, it might have ſaved ſpending of thoſe millions of treaſure, and oceans of blood, that have ſince happened. Echard.—Whatever the Spaniſh loſt by the French ravages, the Engliſh gained a very great private benefit by it: for one Brewer, ſaid to be of Engliſh parents, with about fifty Walloons, who wrought and dyed fine woollen cloths, thereupon came into England; and by them the Engliſh were in a few years inſtructed to make and dye fine woollen cloths, cheaper by forty per cent. than they could before. R. Coke, tom. II. p. 161.

1668. ſome meaſure the diſcontents of the people, which bega
appear, I founded my conjecture, firſt, upon ſir Will
Temple's ſuſpicion, that the king would not long continu
this reſolution. This ſuſpicion appears in ſeveral of his
ters. But as they were writ to the earl of Arlington, ſe
tary of ſtate, he contented himſelf with inſinuating his
lief, without daring to ſpeak too openly. Secondly, it
been ſeen in a letter of the king of France to d'Eſtra
how little Charles concerned himſelf for the preſervatio
the Netherlands, ſince, believing, that Lewis directed
views that way, he offered to let him make that con
unmoleſted, without reſerving an inch of land to him
provided Lewis would abandon the ſtates general. Thir
the ſale of Dunkirk to France ſhowed, that Lewis's
queſts in Flanders would give but little jealouſy to Cha
Temple. Echard, III. p. 230. In the fourth place, at the very time that all Europe
diſſolved in joy for the concluſion of the triple leagu
Thomas Clifford, the king's favourite, ſaid openly,
"Well, for all this noiſe, we muſt yet have another
"with the Dutch before it be long." Fifthly, France
ſelf did not diſcover much uneaſineſs at this triple alli
She not only inſiſted upon all her pretenſions, but even
de Lionne, ſecretary of ſtate, writing to d'Eſtrades o
caſion of the triple alliance, has theſe words,—— "If
"Dutch enter into alliances contrary to the intereſts o
"majeſty, we ſhall not be ſo much troubled at it as
"imagined: I know what I ſay, and upon what foun
"tion I ſpeak it." If to this be added, king Charles
ſtrange conduct afterwards, in making a league with France
againſt Holland, it cannot but be ſuſpected, that there was
at that time a ſecret correſpondence between France and
England. Sixthly, events are commonly the beſt interpreters of mens actions. And it will preſently appear, that Charles made but little account of his engagements, entered into by the triple alliance; but it is not time yet to ſpeak of theſe matters.

The king lives in great diſorder. Burnet. Echard. After the removal of the earl of Clarendon, the face of the Engliſh court was entirely changed. The king, more at eaſe by the abſence of a troubleſome miniſter, whoſe very preſence was a reproof to his conduct, gave himſelf up to his pleaſures, without any reſerve or diſcretion. The duke of Buckingham, who had no religion, and gloried in his debaucheries, and Wilmot earl of Rocheſter, the greateſt wit, and the moſt ſatirical and licentious poet of his age,

were

were his principal favourites *. With theſe two men, and his miſtreſſes, the king ſpent almoſt his whole time, and it was with difficulty that his miniſters could find an opportunity to ſpeak to him of his affairs. Pleaſures and debauches were the ſole entertainments of the court, and vice appeared there barefaced. In a word, England had never ſeen a more diſorderly court, and, unhappily, their example had but too much influence on the reſt of the people. The king was prodigal to exceſs. Beſides his ſtanding revenues, which, as we have ſeen, amounted to twelve hundred thouſand pounds ſterling, he had conſumed the eighteen hundred thouſand pounds given him the laſt year by the parliament, in uſes for which that money was not intended. This year, he had aſked a ſupply of his parliament, pretending a neceſſity to build ſome new ſhips of war, and to put a great fleet to ſea, in maintenance of his engagements by the triple alliance. The parliament had granted him three hundred and ten thouſand pounds, but the act not paſſing till two days after the ſigning of the treaty of Aix la Chapelle, not a ſingle ſhip was built, and the neceſſity of putting a fleet to ſea, vaniſhed at once. Notwithſtanding this, he was always in want, and his revenues perpetually anticipated. 1668. Is very profuſe.

But a ſtill greater misfortune to England was, that only papiſts, or men of no religion, had any credit at court. The duke of Buckingham, the earl of Rocheſter, and the king's miſtreſſes, were not perſons who gave themſelves any trouble to ſtop the progreſs of popery. The earl of Arlington, ſecretary of ſtate, was, like the king, a diſguiſed, and Clifford, a declared papiſt. The duke of York was not only a catholick, but alſo very zealous for his religion. Being conſidered as preſumptive heir to the crown, great court was made to him, and with the more application, as his revenues being large, and his management frugal, he had wherewithal to gain courtiers. It may be judged, that his zeal had ſuffered him not to advance proteſtants to places of truſt, when he could introduce perſons of his religion. He had ſo powerful a party at court, and ſo many creatures about the king's perſon, that he was in a manner abſolute there, and directed the reſolutions of the council. Laſtly, if the king had any religion, he was moſt inclined to popery. He found, beſides a conſiderable advantage in careſſing the papiſts, whom he eſteemed his firm friends, whereas he Great progreſs of the papiſts.

* John Wilmot earl of Rocheſter was then but twelve years old, an age too young to partake of the king's debaucheries.

1668. could not help dreading the zeal of the proteſtants, in caſe they ſhould diſcover, he had abjured their religion.

Deſign to make the king abſolute.

After this view of the ſtate of the Engliſh court, it is eaſy to conceive, that thoſe who had moſt credit and acceſs to the king, could hardly intend the benefit of the kingdom. Every one of his moſt intimate counſellors would have been glad to ſee the king abſolute, that he might have at command the whole riches of England to laviſh upon them. The king himſelf was ſo uneaſy to be continually forced to deviſe freſh pretences to demand money of his parliament, that he could have wiſhed to be delivered from that trouble, and to have free liberty to take what he wanted without aſking. But on the other hand, he thought himſelf obliged to proceed circumſpectly, the example of his father not permitting him to engage in the ſame courſe, before he had taken greater precautions. This was the reaſon, that for ſome years the court projects were executed gradually, and with great diſſimulation, notwithſtanding the warm temper of the duke of York, and the eagerneſs of the papiſts. For it may be affirmed, that the king alone oppoſed their career, whether out of fear or prudence.

The king viſits divers places.

This ſummer, the king diverted himſelf with making ſeveral progreſſes into the country, to view the ports and the navy.

Sends a fleet into the Mediterranean.

He ſent a ſquadron into the Mediterranean, commanded by ſir Thomas Allen, who forced the Algerines to a peace very advantageous to England.

Embaſſies. Kennet, p. 294, 295. Echard. J. Phillips.

Nothing more of any importance paſſed during the reſt of this year, except ſome embaſſies, which the ſequel requires ſhould be mentioned. Sir William Godolphin was ſent to the court of Spain; mr. Ralph Montague was firſt envoy, and ſoon after ambaſſador to France; the earl of Carliſle went ambaſſador to Stockholm °, and ſir William Temple ambaſſador extraordinary to the ſtates general. On the other hand, monſieur Colbert was ſent from France to reſide as ambaſſador at the Engliſh court.

Advancements at court. Sept. 19. Sept. 29.

There were alſo ſome changes at court: among others, ſir Thomas Clifford was made treaſurer of the houſhold, the duke of Monmouth, the king's natural ſon, was made captain of his life guard of horſe; ſir John Trevor, lately returned from France, where he had been envoy, was ſworn one of his majeſty's principal ſecretaries of ſtate, on the reſignation of ſir William Morrice, to whom was given ten thouſand pounds ſterling.

° With Sir Samuel Moreland as envoy.

This

This year died Algernoon Percy, earl of Northumberland, who was ſucceeded by his ſon [p]; the famous poets Davenant, and Denham; and the great ſoldier ſir William Waller, ſo often mentioned in the hiſtory of the civil wars. He had been impriſoned by the independent parliament, and confined till the king's reſtoration, when he was delivered, being conſidered on account of his ſufferings as a ſort of royaliſt. 1668. Deaths. Echard.

Though the year 1669, produced no memorable events, it was however fatal to Europe, ſince it was, probably, this year that meaſures began to be taken for the ſtrict union of France with England. At leaſt, it appears in ſir William Temple's letters, that mr. Puffendorf, who had this year been ſent envoy from Sweden to the court of France, calling at the Hague in his return, ſaid to ſir William Temple [q], that a miniſter at the French court had aſſured him, that the triple alliance would not ſubſiſt, and that the Engliſh court had already changed their meaſures. The ſame mr. Puffendorff ſaw a letter in marſhal Turenne's hands at Paris, from monſieur Colbert the French ambaſſador in London, wherein that ambaſſador, ſpeaking of the Engliſh court, has theſe words:——"I have at laſt made them ſenſible of the whole "extent of his majeſty's liberality." So, it is ſcarce to be doubted, that Colbert's embaſſy to London was deſigned to gain or corrupt the Engliſh court, and that he ſucceeded. It is the time only that is queſtioned, ſince the thing itſelf appeared manifeſtly in the ſequel. 1669. The king changes his meaſures with regard to the triple alliance. Temple's lett. p. 179. Is gained by France.

The latter end of March, Coſmo de Medici prince of Tuſcany arrived in England, where he was received with all the reſpect due to his birth and particular merit. As his deſign was only to ſee England after he had viſited Spain and France, he was ſhown, by order of the king, whatever was curious, and particularly the two univerſities. The prince of Tuſcany arrives in England. March 22. Kennet. Echard.

Shortly after his departure, prince George of Denmark came alſo to pay the king a viſit, but made no long ſtay then in England. Prince George of Denmark. July.

The 9th of July the large and magnificent theatre at Oxford, built at the expence of dr. Sheldon archbiſhop of Canterbury, was opened. He was chancellor of the univerſity, and ſhortly after reſigned that honour to the duke of Ormond. The duke was ſtill lord lieutenant of Ireland, but Theatre at Oxford opened. Kennet.

[p] Who died within two years, and with him was extinct the antient and famous family of the Percy's.

[q] He ſaid ſo to mr. de Wit, who told ſir William Temple of it. See Temple's let. p. 179.

1669. ſoon after was removed, and ſucceeded by the lord Roberts, who was not of the duke's principles.

The king's ſcheme for religion.

In all appearance, the king had now formed a ſort of ſcheme with regard to religion. This was to incorporate the preſbyterians with the church of England, and procure a toleration for all the other nonconformiſts. He might have in this a double view. Firſt, to gain the preſbyterians, who were very numerous in the kingdom, and perhaps make uſe of them, thus united with the church of England, to check the fury of the epiſcopalians, who were not leſs enemies to the papiſts than to the preſbyterians. If the king had not been a papiſt, which was then little known, it would be difficult to underſtand this policy, ſince, ſuppoſing him a zealous member of the church of England, what occaſion had he to guard againſt her? But as a catholick, the advantages of theſe precautions are very viſible. His ſecond view, univerſally allowed, and afterwards manifeſtly diſcovered, was, by procuring an indulgence for all nonconformiſts without diſtinction, to procure alſo the ſame favour for the papiſts. In purſuance of this ſcheme, the king and his miniſters affected to expreſs great kindneſs for the preſbyterians, and this kindneſs encouraged them to appear more openly, and hold their aſſemblies with leſs caution and ſecrecy. In ſhort, ſir Orlando Bridgeman lord keeper, whether privy to the king's ſecret intentions, or led by motives of mildneſs and humanity, acquainting two of the moſt eminent preſbyterian miniſters [r], that he deſired a conference with them. They waited on him accordingly, and he freely told them, he deſigned to make them ſome propoſals for a comprehenſion for the preſbyterians, and a toleration for the independents and the reſt. Upon this occaſion, theſe two preſbyterian miniſters had ſeveral conferences with two epiſcopal doctors [s], one of whom was chaplain to the lord keeper. When it is conſidered, that in the Savoy conference, at the beginning of this reign, the two parties could not agree in any one point, and that in the preſent conference an agreement was immediately made, it can hardly be doubted, that the two epiſcopal divines came fully prepared to facilitate the accommodation. However this be, they agreed among them concerning reordination, which was the point they moſt differed about, That all preſbyterians miniſters who had been already ordained, ſhould be admitted into the miniſtry of the

The preſbyterians careſſed.

A project of a comprehenſion, in order to which, the lord keeper procures a conference between ſome church and preſbyterian miniſters. Kennet, p. 295. Echard. Burnet, p. 259.

The church miniſters make large conceſſions.

[r] Dr. Manton, and mr. Baxter.
[s] Dr. Wilkins, and dr. Burton the keeper's chaplain.

church

church of England with this form of words, "Take thou "legal authority to preach the word of God, and adminiſter "holy ſacraments, in any congregation of England, "where thou ſhalt be lawfully appointed thereunto." This was not properly a new ordination, but only a power to exerciſe their miniſtry in the church of England. It was alſo agreed, that ceremonies ſhould be left indifferent, ſo that they might be uſed or not, according as every one ſhould think fit; and that the liturgy ſhould be altered: Moreover, that thoſe who could not be comprehended ſhould be indulged: and for ſecurity to the government, the names of the teachers, and all the members of the congregations ſhould be regiſtered. Agreeably to this ſcheme, the lord chief juſtice Hale undertook to draw up a bill againſt the enſuing parliament, and the lord keeper promiſed to ſupport it with all his power. It is eaſy to perceive, this project, however neceſſary to the king's deſigns, was however directly contrary to the principles of the parliament, who were averſe to all condeſcenſion. Accordingly it came to nothing. 1669.

Mean time, whether the ſecret of what paſſed in the conferences was not well kept, or the nonconformiſts, encouraged by the court, aſſumed too much liberty, the archbiſhop of Canterbury reſolved to uſe his utmoſt endeavours to break their meaſures. For that purpoſe he writ to all his ſuffragan biſhops a circular letter, requiring them to take a very particular account of them in their dioceſes. When he was provided with the neceſſary informations, he went to the king, and obtained from him a proclamation to enforce the laws againſt conventicles, and particularly the act for reſtraining nonconformiſts from inhabiting in corporations. This proclamation was executed like thoſe againſt the papiſts. For, about two months after, the king cauſed the nonconformiſt miniſters to be told, that he inclined to favour them, and if they would addreſs him for his clemency and the liberty they enjoyed under him, it would be accepted. Whereupon ſuch an addreſs was prepared, and preſented to the king at the earl of Arlington's lodgings, who received it graciouſly, and returned a favourable anſwer [t].

The archbiſhop of Canterbury tries to break the meaſures for a comprehenſion. June 8. Kennet, p. 302. Echard.

A petition of the nonconformiſts favourably received by the king.

The parliament, according to the prorogation, met the 19th of October. The king in a ſhort ſpeech demanded money for the diſcharge of his debts, and briefly propoſed

[t] His anſwer was, "That he would do his utmoſt to get them comprehended within the publick eſtabliſhment."

1669. the union of the two kingdoms of England and Scotland. Then the lord keeper enlarged upon theſe points. But the commons, inſtead of taking the king's ſpeech into conſideration, proceeded upon other affairs. The publick accounts were examined [u], with the uſes to which the king had applied the money given him by the parliament, and ſir George Carteret, who had the keeping of ſome of the books being found very blameable, was expelled the houſe: then they addreſſed the king to thank him for his proclamation againſt conventicles, praying him to continue the ſame care to ſuppreſs them for the future.

The commons examine the publick accounts. Echard, p. 238—240.

But, not contented with this, they appointed a committee to enquire into the behaviour of the nonconformiſts. This committee reported, "That there were divers conventicles "and other ſeditious meetings near the parliament, where "great numbers of diſaffected perſons frequently met, which "was not only an affront to the government, but alſo of "imminent danger to both houſes, and the peace of the "kingdom." It ſeems, the houſe was aſhamed to ſhow ſo much reſentment againſt the preſbyterians, ſolely on the account of religion, and therefore took great care to intereſt the ſtate, in order to create a belief, that the preſbyterians were guilty of ſedition. For they were always included under the general denomination of nonconformiſts, ſo that it was believed they ought to be reſponſible for the conduct of the other ſects, with whom however they had no communication. Upon the report of the committee, the houſe declared, that they would firmly adhere to the king in the maintenance of the eſtabliſhed government of the church and ſtate, againſt all enemies whatſoever. When it is conſidered, that the ſtate had never enjoyed a more perfect tranquillity than at preſent, it can hardly be queſtioned, that this declaration of the commons was owing to the forementioned project, which, doubtleſs, was come to their knowledge, and of which they were reſolved to prevent the execution, by indirectly declaring how much they were againſt it.

Proceedings againſt the nonconformiſts.

Vote of the commons.

At laſt the commons voted the king a ſupply of four hundred thouſand pounds. But, before they conſidered of the means to raiſe this ſum, they revived the debate concerning Skinner and the Eaſt India company, and came to ſeveral reſolutions, which the lords looked upon as ſo many violations

The commons vote the king a ſupply.

[u] And, after all the moſt ſhameful items that could be put into an account, there was none offered for about eight hundred thouſand pounds. Burnet, p. 268.

of

of their privileges in point of judicature. The difference between the two houſes daily increaſing, the king ſaw, it would be very difficult to reconcile them, and that the commons would not proceed upon the money bill till this affair was adjuſted; and as he had no room to expect an agreement, he prorogued the parliament the 11th of December, to the 12th of February following. 1669.

The difference of the two houſes renewed. Burnet, p. 241.

The parliament prorogued.

The parliament of Scotland met the ſame day with that of England. But before I ſpeak of the tranſactions of that parliament, it will not be improper, briefly to ſhow the character of the duke of Lauderdale, the king's high commiſſioner. This lord made ſo great a figure in this reign, both in England and Scotland, that his character muſt not be thought foreign to our hiſtory.

Affairs of Scotland. Kennet, p. 298, &c.

John Maitland, earl (afterwards duke) of Lauderdale, was, during the troubles in Scotland, a rigid preſbyterian, a zealous covenanter, and a diſtinguiſhed enemy of the royal authority. But he turned to the king's intereſt in 1647, when duke Hamilton invaded England, for the ſervice of Charles I. From that time, he was looked upon in Scotland as an enemy of his country. But, after the arrival of Charles II. in Scotland, and the compoſure of the differences between the Scots, he followed the king into England, was taken at the battle of Worceſter, and confined in ſeveral priſons, till the king's reſtoration. During his impriſonment he had great impreſſions of religion on his mind. But, after the king had received him into his favour and council, he ſo entirely wore them out, that ſcarce any trace of them was left. Whether he knew the ſecret ſentiments of the king and duke of York, with regard to religion and the government, or only ſuſpected them, he imagined, the beſt way to preſerve his favour, was to enter into all the king's ſuppoſed views, and endeavour to render him abſolute in both kingdoms. Upon the king's reſtoration, it was debated in council, whether epiſcopacy ſhould be reſtored in Scotland. The earl of Lauderdale ſtrenuouſly oppoſed it, for an extraordinary reaſon, namely, "That if the king pleaſed the Scots, he "would be ſure of them in order to the executing of any de- "ſign he might afterwards be engaged in." This advice, though it was not followed, was acceptable to the king, and rivetted the duke in his favour. The reſolution to reſtore epiſcopacy having been executed, no man appeared more ardent againſt the preſbyterians, nor had they a more violent perſecutor. I ſhall doubtleſs have occaſion to ſay more of him

Character of Lauderdale. Burnet,

1669. him hereafter, but this ſuffices to give ſome idea of his character.

The Scotch parliament enlarges the king's ſupremacy and approves by an act the raiſing of the militia.

It was through his means and intrigues that the parliament, held this year in Scotland, paſſed an act which raiſed the king's ſupremacy higher than ever. The ſame parliament approved the raiſing of the militia, and it was enacted, that it ſhould be kept up, and be ready to march into any of the king's dominions, for any cauſe in which his majeſty's authority, power, or greatneſs, ſhould be concerned; and that orders ſhould be tranſmitted to them from the council, without any mention of orders from the king. It was not at firſt known, what could be the intent of an act which ſeemed to take the militia out of the king's hands, and put it into the power of the council. But it was afterwards perceived, that this was Lauderdale's contrivance, that if the king ſhould have occaſion to call in the Scotiſh army, it ſhould not be neceſſary to ſend any orders himſelf, but that the council, upon a ſecret intimation, might do it without order; and then, if the deſign ſhould miſcarry, it ſhould lie on the council, whom the king might diſown, and ſo none about him be liable for it. This ſhows, that projects were then forming to render the king abſolute in England.

The intention of this act. Burnet, p. 284, 285.

Deaths of the queen mother, the duke of Albemarle, and mr. Prynne. Echard. Skinner.

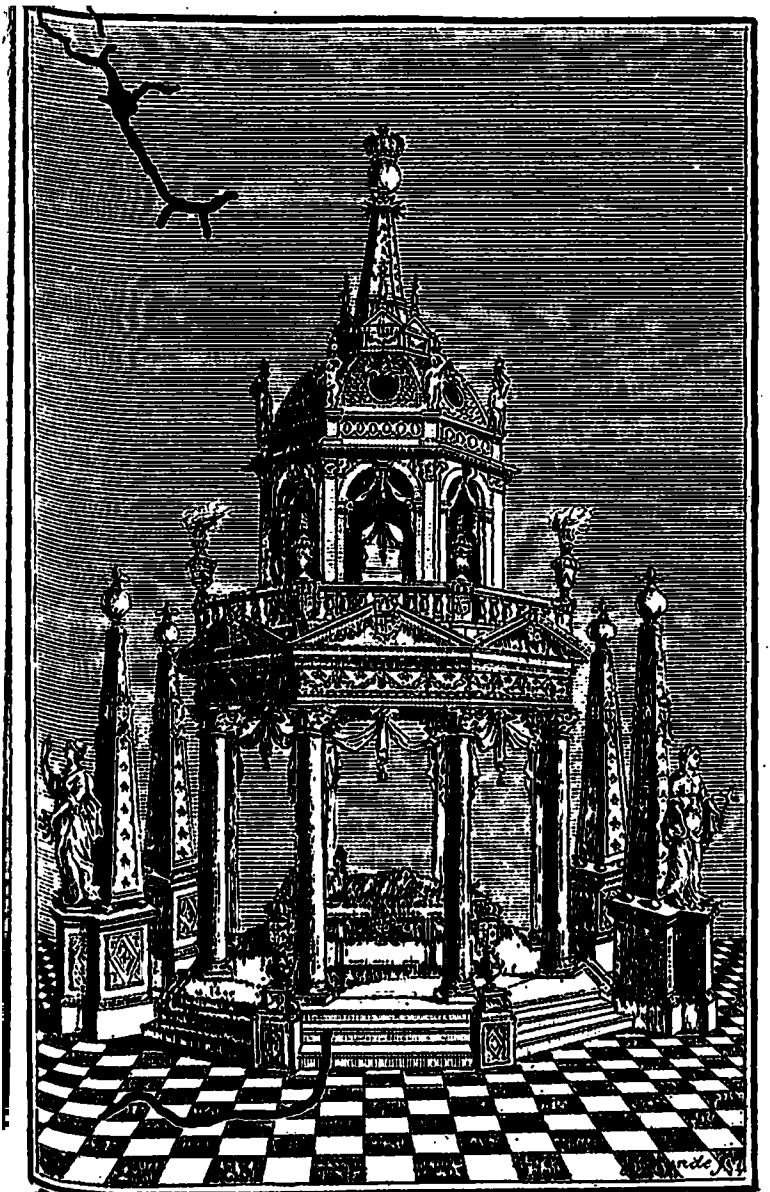
This year, the king's mother died in France, the 10th of Auguſt, in the ſixtieth year of her age. The famous duke of Albemarle died likewiſe the 3d of January, and was ſucceeded in his eſtate and honour by Chriſtopher his only ſon. To theſe deaths may be added that of the famous Prynne, the indefatigable author of more than two hundred treatiſes, moſt of them of little eſteem *.

1669-70. The parliament meeting the 14th of February, the king told the two houſes, "That when they laſt met, he aſked "them a ſupply, and now aſked it again with great in- "ſtance: The uneaſineſs and ſtraitneſs of his affairs could "not continue without very ill effects to the whole king- "dom. He let them know, that having fully informed "himſelf of the expences of the laſt war, he could aſſure "them, that no part of the monies they had given him, "had been diverted to other uſes. But on the contrary, a "very great ſum had been raiſed out of his ſtanding re- "venue and credit, and a very great debt contracted, and "all for the war. Laſtly, he recommended to them, not

The king's ſpeech to his parliament. Echard.

* Let it be remembered of him, that he was a conſiderable inſtrument in the reſtoration, was received into favour, had the records of the Tower committed to him, which he put into good order, and died a member of the preſent parliament, being one of the repreſentatives for the city of Bath.

"to



The Mausoleum of MARY *Wife of* K. CHARLES I *made by Order of* Lewis XIV *in the Abbey of* St. *Denis in France.*

"to ſuffer any occaſion of difference between themſelves to 1669-70.
"be revived."——

The lord keeper then made a ſpeech, which I think neceſſary to inſert at length, to ſhow the king's confidence in this parliament, which had already granted him ſuch large ſums. Echard, III. p. 248

My lords, and you knights, citizens, and burgeſſes of the houſe of commons.

"AT your laſt meeting, his majeſty did acquaint you "with the great occaſions he had for a ſupply, and that "he had forborn to aſk it ſooner, more in conſideration of "giving ſome time for the eaſe of the people, after the "burden of the war, than that the condition of his affairs "could ſo long have wanted; and his majeſty hath com-"manded me now to ſpeak more fully and plainly upon "this ſubject. His majeſty hath not only by his miniſters, "but in his own royal perſon, examined the accompts, "touching the expences of the laſt war, and had thought "himſelf concerned to let you know, that all the ſupplies "which you gave him for the war, have been by him ap-"plied to the war, and no part of them to any other uſes: "nay, ſo far from it, that if the preparations towards the "war ſhall be taken to be for the uſe of the war, as they "muſt be, a great part of his own revenue, to many hun-"dred thouſands of pounds, hath been employed alſo, and "ſwallowed up in the charge of the war, and what did ne-"ceſſarily relate to it. To which may be added the great "debts contracted by his majeſty in the war, and the great "charges in the repairs of the hulls of his ſhips, and put-"ting his navy into ſuch a condition as it was before. Be-"ſides, his majeſty thinks it ought to be conſidered, that "when the charges of the war were at the higheſt, the "inevitable effects of it, and thoſe other calamities, which "it pleaſed God at that time to bring upon us, did make "ſo great a diminution of his revenues, that, beſides all "other accidents and diſadvantages, the loſs that he ſuſ-"tained in three branches of his revenue, in his cuſtoms, "exciſe and hearth-money, by reaſon of the war, the "plague, and the fire, did amount to little leſs than to ſix "hundred thouſand pounds. Thus you ſee, that though "your ſupplies have been great, yet the charges occaſioned "by the war, and the calamities which accompanied it, "have been greater: and that the debt which is left upon

"his

1669-70. "his majeſty, and which he complains of, hath been con-
"tracted by the war, and not by the diverſion of the mo-
"nies deſigned for it.

"His majeſty hath commanded me to ſay one thing more "to you upon this ſubject, That he did not enter into the "war upon any private inclination or appetite of his own. "The firſt ſtep he made towards it, did ariſe from your ad-"vice, and the promiſes of your aſſiſtance: but if the "charges and accidents of the war have outgone all your ſup-"plies, and left him under the burden of this debt, he thinks, "that as well the juſtice to your promiſe, as the duty and "loyalty you have always ſhewed him, will oblige you to "relieve him from it: and the rather, when you ſhall ſeri-"ouſly conſider, how uneaſy this burden muſt be to him, "and what ill conſequences the continuance under it muſt "draw upon all his affairs; in which particular you, and "every perſon you repreſent in this nation, will be con-"cerned, as well as himſelf. His majeſty doth therefore "command me in his name, to deſire you once more, and "to conjure you, by that conſtant duty and loyalty which "you have always expreſſed to him, and by all the concern-"ment you have for the ſupport of the honour and ſafety of "his government, to provide ſuch a ſupply for him at this "time, as may bear proportion to the preſſing occaſions "that he hath, and to the ſtate of his affairs at home and "abroad; and ſo ſpeedily and ſo effectually, as may anſwer "the ends for which he hath deſired it. His majeſty hath "further commanded me, to put you in mind of what was "at your laſt meeting propoſed to you concerning an union "between the two kingdoms, and to let you know, that "the parliament of Scotland, hath ſince declared to his "majeſty, That ſuch commiſſioners as his majeſty ſhall "name, ſhall be authorized on their part, to treat with "commiſſioners for this kingdom upon the grounds and "conditions of the union. His majeſty therefore thought "fit now again to recommend it to you, to take that mat-"ter effectually into your conſideration."

A large ſupply granted to the king.

It would have been cruel not to be moved with the king's wants, after having ſo glorioufly maintained a war againſt Holland, for which the parliament had granted him but five millions five hundred and fifty thouſand pounds ſterling, ſince the peace. Wherefore the commons, as an effectual mark of their affection for the king, and of their reliance on the truth of the keeper's ſpeech, voted the king a ſupply capable to deliver him from his heavy burden. For this purpoſe they

prepared

prepared two bills, one "to lay a duty upon all wines and "vinegar imported into the kingdom, from the 24th of "June 1670, to the 24th of June 1678;" the other "for "the advancing the ſale of his majeſty's fee-farm rents, and "other rents." The firſt is computed at five hundred and ſixty thouſand pounds ſterling; the other, is believed to have raiſed more than double that ſum, ſo that he could depend upon ſeventeen hundred thouſand pounds. Thus the king received for this glorious war with Holland, ſeven millions ſeven hundred and ſixty thouſand pounds ſterling, which amount to eighty two millions five hundred and ſixty thouſand Dutch florins. And yet, there are Engliſh writers who ſeem to triumph, that this war coſt the ſtates forty millions. 1669-70. Statute b. Echard, III. p. 250, 251. R. Coke, II. p. 162.

The difference between the two houſes being revived this ſeſſion, the king, fearing the conſequences, ſummoned both houſes to Whitehall, and propoſed to them an expedient to end it; namely, by razing all entries and records, votes and reſolutions concerning Skinner's affair, which was agreed to, and ſo the diſpute was at an end. The king reconciles the two houſes. Echard, p. 249.

This agreement produced an addreſs, preſented jointly to the king by both houſes the 11th of March, to pray him to give order for the ſuppreſſion of conventicles in and near London and Weſtminſter, and to put the laws in execution againſt popiſh recuſants. The king anſwered, that effectual courſe ſhould be taken in both caſes. Addreſſes againſt non-conformiſts and papiſts.

The 11th of April, the king came to the houſe of peers, and paſſed twelve bills, among which were the two money bills, and a third for the ſuppreſſion of ſeditious conventicles. The ſubſtance of this act was, that, "If any perſon "upwards of ſixteen, ſhould be preſent at any aſſembly, "conventicle, or meeting, under colour or pretence of any "exerciſe of religion, in any other manner, than according "to the liturgy and practice of the church of England, "where there were five perſons, or more, beſides thoſe of "the houſehold; in ſuch caſes the offenders were to pay "five ſhillings for the firſt offence, and ten for the ſecond. "And the preachers and teachers in any ſuch meetings, were "to forfeit twenty pounds for the firſt, and forty for the ſe-"cond offence. And laſtly, thoſe who ſuffered any ſuch "conventicles in their houſes, barns, yards, &c. were like-"wiſe to forfeit twenty pounds [x]." Moſt of the Engliſh 1670. Divers acts. Statute b. One againſt conventicles Echard, p. 251. Echard, III. p. 251.

[x] This act was ſeverely executed in London, and put things in ſuch diſorder, that many of the trading men began to talk of removing with their flocks over to Holland. But the king put a ſtop to further ſeverities. Burnet, p. 270.

1670. hiſtorians, attached to the church of England, endeavour to excuſe the ſeverity of this act, by ſaying, it was made more upon political, than upon religious, accounts. But this is always by means of the general name of nonconformiſts, under which the preſbyterians were comprized, though, ſince the king's reſtoration, they had never been concerned in any inſurrection, or ill deſign againſt the government.

Parliament adjourned. After paſſing theſe acts, the king adjourned the parliament to the 24th of October.

It ſeems, that hitherto the king had reaſon to be pleaſed with a parliament, which, beſides a ſtanding revenue of twelve hundred thouſand pounds ſterling, had granted him ſolely for the war with Holland, above ſeven millions and a half, without reckoning ſo many other extraordinary ſums given him before the war. This parliament, ſuppoſing the king a zealous member of the proteſtant church of England, deſired but two things, which, upon that ſuppoſition he might readily grant. The one was, to come into their views and meaſures for the deſtruction of the preſbyterians; the other to diſable the papiſts from giving any jealouſy to the proteſtants. On the other hand, the parliament might juſtly ſuppoſe, that after having carried the royal prerogative ſo high, the king had reaſon to be pleaſed, and would endeavour to preſerve a happy union with a parliament ſo devoted to him. It is certain, if the king had entirely complied with the parliament in theſe two articles, and confined his prerogative within the extenſive bounds which the parliament ſeemed to preſcribe to it, he might have ſpent his days with more happineſs, tranquillity, and plenty, than any of his predeceſſors. But the parliament's ſuppoſitions being falſe, it is not ſurpriſing, that the king would not enter into their views. Inſtead of being zealous for the proteſtant religion, his intention was to overturn it. Inſtead of deſtroying the preſbyterians, his deſign was to grant them an indulgence, in order to have a pretence to procure the ſame for the papiſts. Inſtead of being content with the power aſcribed him by the parliament, he thought it unworthy a king to found the extent of his authority upon acts of parliament only. Beſides, it was a pain to him to be forced to demand money, and to uſe for that purpoſe pretences notoriouſly falſe, though the parliament ſeemed to be ſatisfied with them. It would have been more agreeable to him to ſay, "It is my will and "pleaſure," than to be obliged to uſe humble intreaties to the commons. This his favorites were continually repreſenting to him, and to this the example of what he had him-

The king's deſigns.

ſelf ſeen practiſed in neighbouring ſtates ſtrongly prompted him. He was therefore impatient to free himſelf from this yoke of the parliament, and the more, as by augmenting his power, he ſhould be better able to countenance the papiſts, and introduce their religion, which was his own as well as his brother's. But if father Orleans the jeſuit is to be credited, theſe were not the motives which induced the king to take other reſolutions. "It was ſolely the indignation of his miniſters to ſee a republican ſpirit creeping into the parliament, and engaging them in ſo many proceedings againſt the royal authority. Among other things, the triple alliance into which the republican cabal had forced the king, contrary to his inclination, appeared to the miniſters an audacious uſurpation upon the royal prerogative, the conſequences of which were to be prevented. Full of theſe reſentments, they perſuaded the king to render himſelf abſolute, in purſuance of the rights of his crown, and the laws of the kingdom, to confine the parliament within the bounds preſcribed by immemorial cuſtom, and not to ſuffer a mixture of a republick with a monarchy, introduced by violence and encroachments, for fear this mixture ſhould in time produce a monſtrous anarchy, and expoſe England to a horrible confuſion, like that from whence ſhe was ſo lately delivered." 1670.

Extract from father Orleans's hiſtory.

I ſhall make no remark on the little foundation this writer had to aſcribe a republican ſpirit to this parliament, nor on the king's being forced into the triple alliance by the pretended republican cabal, nor laſtly on the maxims he eſtabliſhes with reſpect to the conſtitution of the Engliſh government; becauſe every unbiaſſed reader is, I ſuppoſe, able to ſee clearly the weakneſs of this reaſoning. But, ſince father Orleans ſays himſelf that he was informed by James II. of the particulars of his own and his brother's reign, I believe this hiſtorian's word may be taken, that at the time I am ſpeaking of, Charles had reſolved to render himſelf abſolute. This is a truth which muſt always be remembered, if we deſire to underſtand all the events of this reign.

He aims to be abſolute.

This reſolution being taken, the king eaſily ſaw, that the execution of it required an artful and cautious conduct, and ſuch ſecret and imperceptible methods, as would not too plainly diſcover his intentions. For he could not ſuppoſe, that becauſe he deſired to be abſolute, the people of England would immediately give up their liberties and privileges.

The king eſtabliſhes a council, which is called the cabal. Echard, III. p. 251.

1670. vileges. It was therefore neceſſary, to lead them to it inſenſibly and by degrees, and to that end he wanted a ſecret council compoſed of few perſons, in whom he might entirely confide, and whoſe intereſt it was to accompliſh this deſign. The ordinary council conſiſting of twenty one perſons, was not proper to conduct the affair; for, beſides that ſome counſellors had a right to their places, as for inſtance the archbiſhop of Canterbury, it was very difficult to engage ſo many perſons of the firſt rank in ſuch a plot. To effect therefore the undertaking with the more caution, the king eſtabliſhed a cabinet council of five perſons only, namely,

Clifford,
Arlington,
Buckingham,
Aſhley,
Lauderdale.

As the initial letters of theſe five names compoſe the word CABAL, this ſecret council was from thence called the cabal. But before I proceed to the reſolutions taken by this council, it will be neceſſary to give a brief character of the members,

Characters of the counſellors. Clifford.

Sir Thomas Clifford, according to father Orleans, only wanted a ſtage, where ſound reaſon and virtue were more frequent than at this time in England, to appear ſuperior to the others. He was a declared and known papiſt, ſo that he took no pains to diſguiſe his religion. It was he who, after the triple alliance was concluded, ſaid, "notwithſtanding all this noiſe, we muſt yet have another war with Holland." As the event juſtified his prediction, very probably, the ſcheme I have juſt mentioned, was then formed, and he in the ſecret.

Temple. R. Coke.

Earl of Arlington. Burnet, p. 99.

Henry Bennet, earl of Arlington, ſecretary of ſtate, paſſed for a man of the leaſt genius of the five, but this was well ſupplied by his great experience, and knowledge in foreign affairs. It is pretended, that being one of the king's retinue in his journey to Fontarabia in the year 1659, he was the principal inſtrument to induce him to change his religion. However that be, he was truly a catholick, though, with the king, he outwardly profeſſed the proteſtant religion [y]. This is now univerſally agreed.

[y] In the whole courſe of his miniſtry, he ſeemed to have made it a maxim, That the king ought to ſhew no favour to popery, but that all his affairs would be ſpoiled, if ever he turned that way; which made the papiſts become his mortal enemies, p. 99.

George

George Villiers duke of Buckingham, the king's favourite, had a very lively wit. He might have made a great minister of state, had not his strong passion for pleasures, and all sorts of debaucheries, diverted him from business. But nothing could tempt him to quit a dissolute life, to which he had been used from his youth. He gloried in having no religion, and was reckoned an atheist. Such a favourite was no great honour to the king [z]. 1670. Duke of Buckingham.

Sir Anthony Ashley Cooper, created two years after earl of Shaftsbury, was one of the greatest geniuses England had produced for many years. This is the testimony equally given him by friends and enemies. Father Orleans gives the following character of him, "He was the most capable of the five to manage any important undertaking, and was the sole of this I am now speaking of. He had a vast genius, was penetrating, bold, and equally steady, both on the right and the wrong side; a constant friend, but an implacable enemy, and the more dangerous, as being void of all religion and conscience, it was the easier for him to plot, because he was not deterred by the number or enormity of any crimes, when he judged them necessary to preserve himself, or destroy those who had incurred his hatred." I shall observe here, that this character of the earl of Shaftsbury is not founded upon what he had done before his admission into the cabinet council, but upon what he did afterwards. For, leaving the king's party for that of the people and parliament, the royalists ascribe to his intrigues alone, all the troubles which afterwards happened. Mr. Locke speaks otherwise of him. It is true, he says nothing advantageous of him in respect of religion. But however this be, in allowing the character given by father Orleans, it is easy to see, what sort of men the king thought he wanted for the execution of his designs [a]. Earl of Shaftsbury. Mem. of Shaftsbury.

The

[z] Burnet says farther of him, That he had the art of turning persons and things into ridicule beyond any man of his age: he possessed the king when abroad with very ill principles, both as to religion and morality, and with a very mean opinion of his father king Charles I. whose stiffness was with him a frequent subject of raillery, p. 52.

[a] Burnet says of him, That as to religion he was a deist at best: he had a wonderful faculty in speaking to a popular assembly, and a particular talent to make others trust to his judgment. He had the art of governing parties, and make himself head of them. He was good at opposing and running things down, but had not the like force in building up. He had a general knowledge of the slighter parts of learning, but understood little to the bottom. He pretended Oliver Cromwell offered to make him king. He was indeed of great use to him, in withstanding the enthusiasts of that

1670. The duke of Lauderdale was the moſt proper of the five to ſerve the king in this affair. To deſcribe a lord, who had ſo great a ſhare in the affairs of England and Scotland in this reign, I ſhall inſert here, the characters given of him by father Orleans, mr. Echard, and dr. Burnet biſhop of Saliſbury.

Duke of Lauderdale.

The firſt contents himſelf with ſaying, that the duke of Lauderdale, ſecretary of ſtate in Scotland, was a very ſubtle man, and a refined politician.

T. III. p. 244. Mr. Echard ſays of the duke, "The enlarging of the "king's power and grandeur in Scotland, was much owing "to the management of the preſent commiſſioner Lauder- "dale, who had formerly been as much for depreſſing, as "he was now for exalting the prerogative. From the time "of his commiſſion, the Scots are ſaid to calculate the "date of all the enſuing inconveniences in this, and the "following reign. For having there undertaken to make "the king's power abſolute, and arbitrary, he ſtrained the "royal prerogative to all kinds of exceſſes? and aſſumed "to himſelf a ſort of a lawleſs adminiſtration of affairs, the "exerciſe of which was ſuppoſed to be granted to him, up- "on the large promiſes he had made: and more apprehend- "ing other men's officious interfering than diſturbing his "own abilities, he, in time, took care to make himſelf his "majeſty's ſole informer, as well as his ſole ſecretary, and "by that means, not only upon pretence of the king's pre- "rogative, the affairs of Scotland were diſpoſed of in the "court of England, without any notice taken of the king's "council in Scotland; but ſtrict obſervation was alſo made "of all Scotchmen that came to the Engliſh court; and to "attempt an addreſs, and acceſs to his majeſty, otherwiſe "than by Lauderdale's mediation, was to hazard his perpe- "tual reſentment. By theſe ways he gradually made him- "ſelf the almoſt only ſignificant perſon of the whole Scotiſh "nation; and in Scotland itſelf, procured to himſelf that "ſovereign authority, as to name the privy counſellors, to "place and remove the lords of the ſeſſion, and exchequer, "to grant gifts and penſions, to levy and diſband forces, to

time. His ſtrength lay in the knowledge of England, and of all the conſiderable men in it. He knew the ſize of their underſtandings and their tempers, and how to apply himſelf dexterously to them. He often changed ſides, and gloried in doing it at the propereſt ſeaſon. But his reputation was at laſt ſo low, that he died in good time for his family and party, p. 57.

"appoint

" to.——The commons have here ſent up a bill for the " giving his majeſty the twentieth part of our eſtates, and " I hear there are other bills alſo preparing, which toge- " ther will amount to little leſs than three millions of mo- " ney, a prodigious ſum! And ſuch, that if your lordſhips " afford no relief, we muſt ſink under the weight of it. I " hope, therefore, your lordſhips will ſet ſome bounds to " the over liberal humour of the commons. If you can- " not deny or moderate a bill for money, all your great " eſtates are wholly at their diſpoſal, and you have no- " thing that you can properly call your own.——Upon " the whole matter, I moſt humbly propoſe, that you would " be pleaſed to reduce the twelve pence in the pound, to " eight pence."—— 1670-1.

This ſpeech, afterwards printed and publiſhed, was ſo offenſive to the king and his miniſters, that it was ordered to be burnt by the common hangman. But however, it made ſome impreſſion upon the lords, who ſent the bill to the commons with amendments, that is, with ſome alterations [n]. This occaſioned a diſpute between the two houſes, the commons refuſing to receive the amendments. But in a conference the difference was ended, by the acquieſcence of the lords, to the reaſons of the commons. The two firſt money bills, namely, the ſubſidy bill, and the additional tax upon beer, and other liquors, being ready, the king came to the houſe of lords the 6th of March, and paſſed theſe two acts, with another, " for veſting the power of " granting wine licences in his majeſty's heirs and ſucceſſors, " and for ſettling a revenue on his royal highneſs in lieu " thereof," which amounted to twenty four thouſand pounds a year [o]. Is burnt by the hangman. Echard, III. p. 269. Money bills paſſed.

There ſtill remained two other money bills, which had been ſent to the lords, one for " impoſitions on proceedings " at law," and another for " an additional Impoſition upon " ſeveral foreign commodities." The firſt bill paſſed the houſe of lords without any difficulty. But the ſecond occaſioned a violent conteſt between the two houſes. The London merchants having preſented a petition to the lords, in which they ſhowed the diſproportion of the rates impoſed Differences between the two houſes. Echard, III. p. 271.

[n] They alledged in particular, that the diſtreſſes allowed and appointed in that bill, ſuch as the breaking open of doors, were not agreeable to the antient privileges of peers. Echard, tom. II. p. 270.

[o] There was alſo paſſed at the ſame time, among others, an act to prevent the malicious burning of houſes, ſtacks of corn, and killing or maiming of cattle. Statute b.

upon

1670-1. upon certain commodities, to be ſuch as would utterly ruin the whole trade of theſe commodities, and bring an irreparable prejudice upon all the Engliſh plantations, and conſequently upon the kingdom; thereupon the lord. judged it neceſſary to make alterations in the bill, and lower ſome of the rates, and then returned the bill to the commons. The commons maintained, the lords had no right to make any amendments in bills of impoſitions and rates, and could only receive or reject them as they were ſent, and the lords aſſerted the contrary. This diſpute produced ſeveral conferences, in which the two houſes mutually communicated their reaſons, anſwers, and replies. It would be too long to enter into the diſcuſſion of this difference, which, beſides, would hardly be intelligible to thoſe who have not a thorough knowledge of the conſtitution of Engliſh parliaments. I ſhall only relate one circumſtance, which may be underſtood by all, and wherein conſiſted the eſſential part of the diſpute. The commons maintained, that by a fundamental right, it belonged to their houſe (in excluſion of the lords,) to impoſe rates upon merchandize. They meant by this fundamental right, a conſtant uſage or cuſtom, according to the principles of the parliament, in the time of Charles I. The lords, after the example of Charles I. demanded of the commons, where was the charter or contract to be found, by which the lords diveſted themſelves of this right, and appropriated it to the commons with an excluſion to themſelves? To this the commons replied by another queſtion, where was the record by which the commons ſubmitted, that this judicature ſhould be appropriated to the lords in excluſion of themſelves? Wherever their lordſhips ſhould find the laſt record, they would ſhow the firſt endorſed upon the back of the ſame roll. In ſhort, the king perceiving the conteſt daily increaſed, came to the houſe of peers, and after the royal aſſent given to an act for impoſitions on proceedings at law, and ſome others, he prorogued the parliament to the 16th of April, 1672. and afterwards by ſeveral prorogations to the 4th of February 1672-3. So that this prorogation continued a year and nine months.

A long prorogation of the parliament. April 22. Echard.

Reflections upon the liberality of the commons.

Probably, every reader will be ſurprized at the extreme liberality of the commons to the king, and eſpecially in this ſeſſion. As to the former ſupplies, it may be ſaid, they had ſome foundation true or falſe. But for the preſent ſupply, which was greater than any before, it was founded upon a contingency which had not even the leaſt appearance. For it was upon a ſuppoſition, that France and the ſtates general,

ra', who were making great preparations, might invade England, if they found her unarmed, though ſhe was in peace with France, and in ſtrict alliance with Holland. Beſides, the ſtates had hitherto made no extraordinary preparations, becauſe they did not yet ſuſpect, they ſhould be attacked. And as to France, the king knew, he had nothing to fear from that quarter. Nevertheleſs, upon the king's bare propoſition, ſupported by no probability, a ſum of two millions and a half was granted him, which ſome even compute at three millions. Nothing is more proper to render probable what is aſſerted by many authors, that ſcarce a member, however inconſiderable, was without a penſion from the king according to his credit in the houſe, and that theſe penſions were increaſed in proportion to the ſums granted to the king. Thus much is certain, that afterwards upon an enquiry, ſome were found guilty of this colluſion. 1671.

Before I proceed, it muſt not be forgot to ſpeak of the death of Anne Hyde ducheſs of York, daughter to the earl of Clarendon, the late chancellor. She died the 31ſt of March in the 34th year of her age, after an abjuration of the proteſtant religion during her long indiſpoſition [p]. From her marriage proceeded eight children, two of which only ſurvived her, Mary and Anne, who were both queens of England. The reſt all dyed young [q]. Death of the ducheſs of York. Sandford, p. 677. Echard. J. Phillips. Burnet.

The duke of York was a papiſt before the king's reſtoration, but I can't find at what time he changed his religion. It was a ſecret for ſome time, but had now been ſo divulged, that it was openly talked of in the court and country. At laſt, ſoon after the death of his ducheſs he made a formal abjuration of the proteſtant religion before father Simons an Engliſh jeſuit, and from that time openly declared himſelf a papiſt. His inducement, as it is ſaid, to make publick profeſſion of this religion, was this. The king had, for ſome years, even before Clarendon's diſgrace, entertained a ſecret deſign of divorcing his queen, whom he had never loved. He had communicated this deſign to ſome of his The duke of York formally abjures the proteſtant religion, Echard, III. p. 277. Ibid.

[p] Some imagined, That that unhappy princeſs had been prevailed upon, againſt her conſcience, to ſign a paper, containing the grounds of her converſion, which ſhe attributed chiefly to the reading of dr. Heylin's hiſtory of the reformation. Her father, when he heard of her wavering in her religion, was more troubled at it, than at all his own misfortunes. He writ her a very grave and long letter upon it, incloſed in one to the duke, which ſee in the life of king James. Supplement, p. 5, &c. —— Burnet, p. 309. Echard, p. 277.

[q] Their names were, Charles, born October 22. 1660. Mary, April 30. 1662. James, July 12. 1663. Anne, February 6. 1665. Charles, July 4. 1666. Edgar, September 14. 1667. Henrietta, January 13. 1668. And Catharine, February 9. 1670. Charles, James, Charles, and Henrietta, died before their mother, and Edgar and Catharine ſhortly after. Sandford, p. 677.

 conſi-

1671. confidents, but it was always oppoſed by the earl of Clarendon, whether from the injuſtice of the thing, or for the ſake of his daughter the ducheſs of York, and her poſterity. After the removal of that miniſter, the king finding himſelf more free, perſiſted in his deſign, which, as it is affirmed, was encouraged by the papiſts, and approved by the court of Rome. One pretence for the divorce, was, that the queen had been pre-engaged to another, who however was not named. It was alſo pretended, ſhe was incapable of having children, though ſhe had twice miſcarried. But as theſe facts are very difficult to be proved, the king was aſſiſted to find a more plauſible pretence; which was to lay ſnares to betray the queen into ſuch freedoms, as might be the ground of an accuſation of adultery. But the king could not reſolve to uſe a method ſo unjuſt, and diſhonourable [r]. Nevertheleſs the divorce was reſolved, and as a pretence only was wanting, an effectual one would certainly have been found. The prieſts and jeſuits who were continually about the duke of York, had long preſſed him to make open profeſſion of the Roman catholick religion, but had not yet been able to ſucceed, becauſe the duke ſaw, it would make him forfeit the affection of moſt of the Engliſh. At laſt, upon the duke of York's refuſal they ſtrenuouſly laboured the affair of the divorce, and cauſed, as it is ſaid, the pope to promiſe his conſent. When the buſineſs was thus far advanced, they intimated to the duke of York, that they were able either to effect or hinder the king's divorce, and would undertake the latter, if he would make open profeſſion of the catholick religion. This, as it is pretended, engaged him to declare himſelf a papiſt, being apprehenſive, that if the king ſhould be divorced from his queen, he would marry again, and have legitimate children. I relate theſe particulars as I found them in the hiſtories and memoirs of thoſe times, but I muſt warn the reader, that the authors of them alledge no other proof than their own teſtimony [s].

and makes an open profeſſion of the popiſh.

Projects of the cabal. Echard, III. p. 278.

After the prorogation of the parliament, the cabal ſought, with all poſſible ardour, means to execute their projects. Theſe were, firſt, to render the king abſolute, or in their

[r] Others were ſet on to deal with her confeſſor, that he might perſuade her to leave the world, and to turn religious. Burnet, p. 263.

[s] Burnet ſays, the duke of Buckingham offered, that if the king would give him leave, he would ſteal the queen away, and ſend her to a plantation, where ſhe ſhould be well looked after. But the king himſelf rejected this propoſal with horror. He ſaid, it was a wicked thing to make a poor lady miſerable, only becauſe ſhe was his wife, and had no children by him, which was no fault of hers. p. 262, 263.

language,

language, a great prince: and under this article was comprized, the eſtabliſhment of popery, if not the entire deſtruction of the proteſtant religion. For there is no viſible medium between theſe two things. I have already given the reaſon why the article of religion is omitted by the king's adherents. The ſecond project was to break the triple alliance. The third, to make war upon Holland, though it was difficult to invent any the leaſt plauſible pretence. To execute the two laſt, mr. Henry Coventry, who had been plenipotentiary at the treaty of Breda, was ſent to Sweden, and ſir George Downing to the Hague. Temple, as I have ſaid, was recalled, but to amuſe the ſtates, the king feigned to ſend for Temple only to be informed of ſome matters, and that he ſhould immediately return. He was however ſtill in London, and though the king had no deſign to ſend him back to Holland, yet to take away all ſuſpicion from the Dutch of his intention to break with them, he had hitherto refuſed his permiſſion to ſir William to ſend for his wife and family. At laſt, he was openly recalled, and obtained leave for his wife and children to come over who were ſtill at the Hague. The recalling of Temple, and ſending of Downing in his place ſufficiently diſcovered the king's intentions [t]. Temple was extremely beloved in Holland, as he had always behaved with integrity and a concern for the common intereſts of both nations. The other had ſerved for inſtrument to engage the king and the ſtates in the late war, and was looked upon in Holland as a man of no honour, and a real incendiary. So that when the ſtates heard, he was coming in the room of Temple, they no longer doubted of a rupture with England. Mean while Downing being arrived at the Hague, was not wanting in proteſtations, that the king his maſter was reſolved to maintain the triple alliance, and if he was equipping a fleet, it was wholly owing to the great preparations of his neighbours, and particularly the king of France, of whom he had juſt cauſe to be jealous. But withal, he failed not to complain of the obſtinacy of the Dutch, upon an affair of little importance, concerning the colony of Surinam: adding ſome complaints of the Engliſh merchants againſt the Dutch Eaſt India company. Theſe were the two articles on which the king intended to found a rupture, but as he did not think them of ſufficient weight,

1671.

The king endeavours to amuſe the ſtates general.

July.

Temple's lett. p. 248.

Baſnage.

[t] Mr. de Witt told Sir William's ſecretary, That he ſhould take ſir William's ſtay or coming back for certain ſigns of what the king's intentions were, towards the preſerving or changing the meaſures he had taken with the ſtates. Temple's lett. p. 248.

1671. he projected to draw the ſtates into a ſort of inſult upon him, which might give him a more plauſible pretence for a war.

A yacht belonging to the king fires at the Dutch, to engage them to ſtrike the flag. Temple's letters, p. 248, 249.

To this end, the king having granted ſir William Temple a yacht to bring over his lady, the admiralty gave expreſs orders to the captain to go in queſt of the Dutch fleet, then at ſea, and, if they refuſed to ſtrike, to fire upon them. The captain met with them as he was returning with the ambaſſadreſs and her children. When he ſaw, the fleet paid no regard to the king's yacht, he fired ſeveral ſhots at them. Mr. de Ghent, who commanded the fleet, ſurprized at this inſult, ſent a boat to the yacht to know the meaning of it. The captain only anſwered, he had his inſtructions, and was bound to follow them. Upon this mr. de Ghent went to the yacht on pretence of paying a compliment to the ambaſſadreſs, which being performed, he talked with the captain, and was anſwered as before. The admiral replyed, he had no orders from his maſters in that point, and did not know how the affair was agreed between his majeſty and the ſtates; but though it were ſettled, the captain could not pretend the fleet ſhould not ſtrike to a yacht, which was but a pleaſure boat, and could not paſs for a man of war. The captain ſtill perſiſted in ſaying, he only followed his orders. However, the fleet did not fire a ſingle ſhot at the yatcht, and the captain purſued his courſe, pleaſed that he had come off ſo well.

The king receives money from the king of France. Primi. State tracts in king William. t. I.

Beſides the two millions and a half granted to the king by the parliament, the king of France, if abbot Primi is to be credited, ſent him alſo a very conſiderable ſum to enable him to equip a fleet much ſuperior to that of the ſtates [u]. So the king thought only of war, though with all poſſible artifice he endeavoured to remove all ſuſpicion of his having any ſuch deſign. He ſpent the whole ſummer, and part of the autumn in progreſs through ſeveral parts of his kingdom.

An Inſtallation at Windſor. Echard.

The 28th of May he celebrated the feaſt of St. George in a very ſolemn manner at Windſor, and inſtalled in the order of the garter, the king of Sweden and the elector of Saxony, by their proxies, and after them the young duke of Albemarle. He alſo made a viſit to the univerſity of Cambridge, where he was magnificently entertained, and to ſeveral other places, which it is needleſs to mention. After

[u] He was promiſed ſix millions of livres, beſides three hundred thouſand crowns a month, or three hundred and fifty thouſand pounds ſterling a year, during the war. Life of de Wit, tom. II. p. 344. Burnet, p. 304.

his

his return, both their majeſties were invited to the lord mayor's feaſt, on the 30th of October, where no coſt was ſpared to diſplay the grandeur and riches of the city of London. 1671.

Before I proceed to the tranſactions of the next year, I think myſelf obliged to take notice of an attempt, the moſt extraordinary that can poſſibly be deviſed by a private man. I mean that of Blood, a famous villain, robber, and aſſaſſin, who formed the deſign of ſtealing the crown, ſcepter, and globe, which are kept in the Tower. With the aſſiſtance only of two or three more, he executed this deſign ſo dexterouſly and happily, that they were got out of the Tower with their booty, before they were ſeized. To give ſome account of Blood, I ſhall briefly ſay here, that the duke of Ormond, when he was lord lieutenant of Ireland, having cauſed ſome of Blood's accomplices to be hanged, who intended to ſurpriſe the caſtle of Dublin, Blood ſwore, he would revenge their deaths. For this purpoſe, Blood followed the duke of Ormond into England, when he was recalled, and watched him ſo well, that with the aſſiſtance of ſeven or eight perſons on horſeback, he ſtopped his coach in the night, as he was going to Clarendon houſe, where he lived, knocked down his footmen *, and forced the duke up behind one of the horſemen, in order to carry him to Tyburn, and hang him there, with a paper pinned on his breaſt, to ſhow the cauſe of this execution. But the duke forcibly throwing himſelf off the horſe, with the villain who had tied the duke faſt to him, defeated the deſign, and the authors could never be diſcovered till after Blood's attempt upon the crown. This attempt was very extraordinary, but the king's conduct on the occaſion was ſtill more ſurpriſing. For having a curioſity to examine Blood himſelf, he ordered him to be brought to Whitehall, and put ſeveral queſtions to him, which the villain anſwered with aſtoniſhing boldneſs, confeſſing all, and unconcernedly relating the circumſtances of the thing. Then the king aſked him, whether he knew the authors of the attempt upon the duke of Ormond? Blood confeſſed, it was himſelf. Not content with this, he told the king, he had been engaged in a deſign to kill him with a carbine, from out the reeds by the Thames ſide above Batterſea, where he often went to ſwim. But that when he had taken his ſtand in the reeds for that purpoſe, his heart was checked with an awe of majeſty, and did not only relent

Blood ſteals the crown. May 9. Strype's Contin. of Stow's Survey, t. I. p. 91, &c. Echard, III. p. 282.

Id. p. 262. Dec. 6. 1670.

Is examined by the king, Strype, Echard, III. p. 285.

* Rapin, by miſtake ſays, he killed the coachman and footmen.

1671. himſelf, but diverted his aſſociates from the deſign. He alſo told the king, he was prepared to ſuffer death, as having deſerved it; but muſt tell his majeſty, that he had hundreds of accomplices, who had bound themſelves by a horrible oath, to revenge the death of any of the fraternity, upon thoſe who ſhould bring them to juſtice; which would expoſe his majeſty and all his miniſters, to the daily fear and expectation of a maſſacre. But, on the contrary, if he ſpared the lives of a few perſons, his own would be ſecure. The king was ſurpriſed, and probably, intimidated by Blood's diſcourſe, and thought, doubtleſs, the attempt of this villain on the duke of Ormond, to revenge the death of his accomplices, might be imitated, in revenge of his death, by his ſurviving comrades. However this be, the king ſent the earl of Arlington to the duke of Ormond, to deſire him not to proſecute Blood, which the duke could not refuſe [x]. Afterwards, he gave him his pardon, and not content with ſaving his life, conferred on him five hundred pounds a year in land in Ireland. From that time, Blood was continually at court, and the king treated him with that freedom and familiarity, that many perſons applied to him for favours from the king. This gave occaſion to the king's enemies to ſay, that he kept the villain about him, to intimidate thoſe who ſhould dare to offend him in things which were not puniſhable by law, as had been practiſed in the caſe of ſir John Coventry, for ſome railleries upon him in the houſe of commons. As for Edwards, the keeper of the crown, a man fourſcore years old, who had done his utmoſt, though in vain, to hinder the theft, and had received ſo many wounds that he was left for dead, the king contented himſelf with aſſigning him a reward of two hundred pounds, the payment of which was ſo long delayed, that the poor man died before he received it [y].

and pardoned.

In

[x] The duke anſwered, "That the king ſhould ſee, he valued his life as little, as his majeſty did his crown." Echard, tom. III. p. 286.

[y] Edwards had a grant of two hundred pounds for himſelf, and one hundred for his ſon. Both, by the delays of payment, were obliged to ſell their orders for half the money, and the old man lived not long to enjoy the remainder. The manner of Blood's ſtealing the crown was thus: he goes to the Tower in a clergyman's habit, with a woman whom he called his wife, and who, he pretended, wanted to ſee the crown; and having ſeen it, ſhe feigned to be taken with a qualm, and deſired mr. Edwards, the keeper of the crown to ſend for ſome ſpirits, who immediately cauſed his wife to fetch ſome, of which ſhe drank, and being invited to repoſe herſelf on a bed, ſhe did ſo, and ſoon recovered. At their departure, they were very thankful for this civility. Three days after, Blood comes with a preſent of gloves from

In the courſe of this year died two famous generals, diſtinguiſhed by their bravery and experience in the civil wars. The firſt was the lord Fairfax, the generaliſſimo, and the other Edward Montague earl of Mancheſter. I ſhall ſay no more of them, becauſe they have been ſufficiently deſcribed in the reign of Charles I. I ſhall only add, that both were very ſerviceable in the king's reſtoration [z]. 1671. Death of the lord Fairfax and earl of Mancheſter. Echard.

The league againſt Holland, much like that of Cambray againſt the commonwealth of Venice, was ſtill kept ſo ſecret, that the ſtates could only ſuſpect it, without any certainty. The deſign of the allies was to begin with the ruin of the Dutch, before declaration of war, and then to attack them all together, at the ſame time and in different places. The king of France, the elector of Cologne, and the biſhop of Munſter, were to invade them by land, and the Engliſh and French fleets jointly to attack them by ſea. This was the project, but it met with an unforeſeen difficulty. Though Charles had received two millions five hundred thouſand pounds from the parliament, and ſeven hundred thouſand pounds from the king of France, he was ſtill in want. Indeed, he had applied part of the money received to the equipment of his fleet, which could not amount to half, and it was difficult to conceive what became of the reſt. However this be, he ſignified to his miniſters, that he could not begin the war without fifteen hundred thouſand pounds, and as he could not apply to the parliament, which Deſigns againſt the Dutch, Baſnage. Echard, III. p. 238. The king indigent. Echard, III. p. 288.

from his wife, and having thus began an acquaintance, he improves it by frequent viſits. At laſt, he tells mr. Edwards, that he had a mind to make a match between a nephew of his, and mr. Edwards's daughter, which nephew, he ſaid, had three hundred pounds a year. Accordingly, a day was appointed for the young couple to ſee one another. Blood comes with three more, armed with rapier blades in their canes, and every one a dagger, and a pair of pocket piſtols. One of the fellows ſtays at the door, and the others go in. Blood told mr. Edwards, he would not go up ſtairs till his wife came down, and deſired him, in the mean time, to ſhew his friends the crown, to paſs away the time. As ſoon as they were in the room, and the door ſhut as uſual, they immediately gagged the old man, and knocked him down for endeavouring to make a noiſe. One of the companions put the globe in his breeches, Blood kept the crown under his gown, and a third was filing the ſcepter (being too long to manage) when their companion without gave them notice, that young mr. Edwards was juſt come home, and gone up ſtairs; upon which they all made off with the crown and globe. But old Edwards getting up and making a noiſe, they were purſued and taken, as they were making to their horſes, which waited at the Iron Gate in St. Catherine's. Blood, though he ſaw himſelf a priſoner, had the impudence to ſtruggle for the crown. Strype's Contin. of Stow's Survey, tom. I. p. 92. Echard.

[z] This year alſo died William Seymour duke of Somerſet; and the famous critic, Meric Caſaubon, prebend of Canterbury

1671. was prorogued, he promiſed the treaſurer's ſtaff, to the perſon who ſhould invent the means of raiſing that ſum. Sir Thomas Clifford proved the moſt happy and ingenious. He went to the king, and told him, that by ſhutting up the exchequer he would be ſure of that ſum. The king readily underſtood the advice, and reſolving to follow it, performed his promiſe, and made Clifford lord treaſurer. Some however aſcribe this project to the lord Shaftſbury, and ſay, that Clifford having artfully drawn it from him, gloried in it to the king [a].

Is advised to ſhut up the exchequer.

The meaning of that project.

To underſtand this project (which though plain to Engliſh readers, is not ſo to foreigners) it is to be obſerved, that at the exchequer are received, by direction from the lord treaſurer, all the ſums deſtined to publick uſes, and the intereſts of the money borrowed upon parliamentary funds, which commonly cannot be raiſed under ſeveral months, or even years. So, when the king has a mind to have all at once the money that has been granted him, he borrows it of private perſons at a large intereſt, and aſſigns them payment upon the exchequer, which applies to this uſe the money, raiſed from the granted funds, as it comes in. Moreover, at the time I am ſpeaking of, all the monied men in London, not to keep large ſums in their houſes, put their money into the hands of bankers and goldſmiths, without intereſt. And when they wanted any part, they drew upon their goldſmiths or bankers, who immediately paid it. Now, as it was morally impoſſible, that all the private perſons who had money at a bankers, ſhould want it all at once, thoſe who had the money in their hands kept only a ſum ſufficient to anſwer the uſual demands, and lent the reſt to the king at a large intereſt, upon the parliamentary funds. So, in ſhut-

[a] The ſubſtance of the ſtory, as it is told by mr. Echard, from a manuſcript of ſir Joſeph Tyley's, is this:—The king, under preſent neceſſities, promiſed the white ſtaff to any one of his miniſters, who could put him in a way to raiſe fifteen hundred thouſand pounds, without applying to his parliament. The next day lord Aſhley told ſir Thomas Clifford, that there was a way to do this; but that it was dangerous, and might in its conſequences inflame both parliament and people. Sir Thomas, impatient to know the ſecret, plied the lord Aſhley with viſits, and having drunk him to a proper height, led him inſenſibly to the ſubject of the king's indigence; lord Aſhley, warm and unguarded, dropt the important ſecret of ſhutting up the exchequer. Sir Thomas took the hint, left Aſhley as ſoon as he could, went the ſame night to Whitehall, and attending till the king roſe, demanded the white ſtaff. The king renewed his promiſe, if the money could be found, and then Sir Thomas diſcloſed the ſecret. The project was put in execution, and Clifford advanced to be treaſurer, and created a peer. Aſhley was touched, and ſaid, That Clifford had ploughed with his heifer. However, to ſatisfy him, he was firſt made earl of Shaftſbury, and ſoon after lord chancellor of England. Tom. III. p. 288.

ting

ſing up the exchequer, he received all the money which came into it [b], without paying any thing of what he owed. But at the ſame time, the perſons who had put their money into the hands of the bankers and goldſmiths, were entirely ruined, ſince it was not in their power to diſpoſe of their capital; eſpecially, as the bankers refuſed even to pay the notes drawn daily upon them, on pretence, that they received nothing from the exchequer. This cauſed an extreme conſternation in London, but the king and his miniſters purſued their meaſures, and, deaf to the complaints of ſo many ruined families, kept the exchequer ſhut up one year, and, at the expiration of that term, it continued ſhut up by a new order, ſome months longer. But the whole misfortune did not conſiſt in twelve or eighteen months expectation. It is eaſy to imagine, the king having received all the money which came into the exchequer during that time, the ſums which were brought in, when it was opened, were not ſufficient to diſcharge the arrears of theſe eighteen months. This is the true ſtate of the affair, which cauſed the Engliſh to exclaim ſo loudly againſt the king and the cabal. But the hopes the cabal then had to render the king abſolute, made them very eaſy under the complaints and reproaches of the people.

1671.

The exchequer ſhut up. Jan. 2. Arlington's lett. t. II. p. 348. Echard. Kennet, p. 309. Burnet.

But Charles had in his thoughts a project which would furniſh him with ſtill more conſiderable ſums. This was to ſurpriſe the Dutch fleet returning from Smyrna richly laden [c], before any declaration of war. He had practiſed the ſame thing the laſt year, with regard to the Bourdeaux fleet, and received a great advantage from it. This fleet being much richer, inſpired him with great expectations. To this end he put to ſea thirty ſix men of war [d] under the command of Holms, who had orders to cruiſe in the channel, and intercept this fleet. Holms being informed that the Dutch fleet approached, divided his own into three ſquadrons. That of Holland conſiſted of ſeventy two ſail of merchant ſhips, many of which had no guns, under the convoy of five men of war, commanded by experienced officers. Theſe drew up the merchantmen in three ſquadrons, in good order, and put themſelves between them and the Engliſh fleet, after having enjoined them to purſue their courſe without breaking their line. Holms attacked this fleet the 13th of

1671-2.

The king intends to ſurpriſe the Dutch Smyrna fleet, before he had declared war. March 13. Baſnage. Burchett. Echard. Kennet, p. 310. Primi.

[b] The bankers, who had formerly furniſhed the king with large ſums of money, at the extorſive intereſt of eight per cent. had lodged in the exchequer between thirteen and fourteen hundred thouſand pounds. R. Coke, p. 168. Burnet, p. 306.

[c] It was reckoned worth a million and a half. Burnet, p. 307.

[d] This fleet conſiſted but of nine frigates, and three yachts; but the next day there came a reinforcement of four or five men of war. See Echard, tom. III. p. 291. Baſnage, t. II. p 192.

March,

1671-2. March [e], and fought the whole day without gaining the leaſt advantage. The next day at nine in the morning the fight was renewed, and laſted all the day, though on the ſide of the Dutch, captain de Haes, who acted as admiral, had been killed about noon. On the ſide of the Engliſh, the vice admiral's ſhip was diſabled. On the morrow, at eight in the morning, Holms, who had been reinforced by ſome frigates, renewed the engagement, and at laſt took one man of war, the captain and moſt of the ſailors being ſlain, and three merchant ſhips [f] which were brought into the Thames. This was all the advantage the Engliſh received from an action, which highly reflected on the king. It was carefully publiſhed at London, that this engagement was but an effect of chance, becauſe the Dutch refuſed to ſtrike. Though every one openly ſpoke againſt ſo diſhonourable an action, the king was not affected with the ſentiments of the vulgar, and inſtead of repairing the injury done to the ſtates, in ſeizing their ſhips before the war was declared, ſent out a ſquadron to meet four Dutch Indiamen, which were immediately taken and condemned. At the ſame time, he ordered all the Dutch ſhips in his ports to be ſeized, though, by an expreſs article of the treaty of Breda, no merchant ſhips were to be taken till ſix months after a declaration of war. The ſtates, ſeduced by ſo ill an example, ſeized alſo the Engliſh ſhips. But, upon the ſtrong repreſentation of ſome of the deputies, how much the honour of princes and ſtates was wounded by theſe depredations, and that the king of England's acting againſt the faith of treaties, was not a ſufficient reaſon to engage the ſtates to imitate ſo blameable a conduct, the Engliſh ſhips were diſcharged and ſent into England. The king could not then help releaſing ſome of the Dutch ſhips, but did not reſtore all.

But without ſucceſs. Baſnage.

Kennet, p. 310. Burnet. Four India men taken. Baſnage.

1672. One of the branches of the project formed by the cabal was, as I ſaid, to render the king abſolute [g], and under this

[e] But before that, he endeavoured to decoy, by ſtratagem, into his own ſhip, the Dutch admiral, the vice admiral, &c. See Prins in ſtate tracts, tom. I. p. 17.

[f] Our hiſtorians ſay five. See Kennet, p. 310.

[g] The lord Clifford told a perſon of quality in private diſcourſe, that the king, if he would be firm to himſelf, might ſettle what religion he pleaſed, and carry the government to what height he would: For if men were aſſured in the liberty of their conſciences, and undiſturbed in their properties, able and upright judges made in Weſtminſterhall; and if, on the other hand, the fort of Tilbury was finiſhed to bridle the city, the fort of Plymouth to ſecure the weſt, and arms for twenty thouſand men in each of theſe, and in Hull for the northern parts, with ſome addition (which might be eaſily and undiſcernedly made to the forces on foot) there were none who would have either will, opportunity, or power to reſiſt. Kennet, p. 312. note.

branch

branch was compriſed the extirpation of the proteſtant, or at leaſt the introduction of the popiſh religion; though father Orleans, and the writers on the king's ſide, when ſpeaking of this project, ſay nothing of this article. Father Orleans, however, could not forbear owning it in the courſe of his hiſtory. I ſhall tranſcribe a paſſage from him, which, tho' extremely ſoftened with reſpect to the end, clearly ſhows, it was one of the branches of the project. After ſpeaking of what had paſſed concerning the papiſts, and other nonconformiſts, he adds, "The king, who was no good chriſtian in his actions, though a catholick in his heart, did all that could be expected from his indolent temper, to preſerve the common liberty, that the catholicks might partake of it. But the church of England prevailed, and chancellor Hyde was ſo warm upon this occaſion, that the king was obliged to yield rather to his importunities than his reaſons. It was therefore the re-eſtabliſhment of this liberty of conſcience, that the lord Aſhley believed neceſſary to the execution of the projected deſign. He communicated his thoughts to his collegues of the cabal, who were of the ſame opinion, not only on account of the reaſon he alledged, which was, the gaining of the nonconformiſts who were juſtly feared, but alſo upon another, which he readily approved, namely, the favouring of the catholicks whom moſt of them loved, and the reſt eſteemed. Arlington and Clifford were ſecretly catholicks, and both died in the communion of the church. Buckingham had no occaſion to be converted, could he only have prevailed with himſelf as to libertiniſm. Aſhley was not averſe to the catholick religion, till intereſt and malice threw him into the contrary party. It will eaſily be conceived, that the king readily conſented to it, ſince he was a catholick, and continued ſo to his death, though policy cauſed him to pretend the contrary. As for the duke of York, he ſupported the deſign with all his power. All the difficulty lay in the extent of this liberty, and the two kings of France and England, acting in concert, debated the affair in the negotiation of their treaty. Several propoſals were made, ſome more, ſome leſs, advantageous to the catholicks. France was for the moſt moderate, ſafeſt, and moſt ſeaſonable methods. At laſt, it was agreed, that Charles ſhould grant liberty of conſcience to all his ſubjects in general."

1671-2.

An extract from the hiſtory of father Orleans.

It appears from hence, that religion was concerned in the projects of the cabal. But probably, ſome were for having

1671-2. the progreſs of the popiſh religion ſubſervient to render the king abſolute, and others were for rendering the king abſolute to favour the progreſs of popery. Wherefore, theſe two articles were never ſeparated, nor indeed could be, ſince they entirely depended on each other. The king plainly ſhowed it, when he publiſhed his declaration for liberty of conſcience, ſince he could not grant this liberty without aſſuming a power to abrogate acts of parliament, or at leaſt ſuſpend the execution thereof ſo long as he pleaſed. The declaration, dated the 15th of March 1672, conſiſted of various articles, of which I ſhall here give the ſubſtance:

Declaration for liberty of conſcience. Kennet, p. 313. Echard, t. III. p. 292. Burnet, p. 307. J. Phillips.

1. His majeſty publiſhes it, "in virtue of his ſupreme power in eccleſiaſtical matters," which is a right inherent in his perſon, and declared to be ſo by ſeveral acts of parliament.

2. He declares his expreſs reſolution to be, that the church of England be preſerved and remain entire in her doctrine, diſcipline and government, as now it ſtands eſtabliſhed by law.

3. That no perſon ſhall be capable of holding any eccleſiaſtical benefice or preferment of any kind, who is not exactly conformable.

4. That the execution of all penal laws in matters eccleſiaſtical againſt whatſoever ſort of nonconformiſts or recuſants, be immediately ſuſpended.

5. He declares, that he will from time to time allow a ſufficient number of places, as ſhall be deſired, in all parts of his kingdom, for the uſe of ſuch as do not conform to the church of England, to meet and aſſemble in, in order to their publick worſhip and devotion.

6. That none of his ſubjects do preſume to meet in any place, until ſuch place be allowed, and the teacher of that congregation be approved by him.

7. He declares, that this indulgence, as to the allowance of publick places of worſhip, and approbation of teachers, ſhall extend to all ſorts of nonconformiſts and recuſants, except the recuſants of the Roman catholick religion, to whom he will no ways allow publick places of worſhip, but only indulge them their ſhare in the common exemption from the executing the penal laws, and the exerciſe of their worſhip in their private houſes only [k].

[k] The preſbyterians went in a body, and dr. Manton, in their name, thanked the king for this declaration. Moſt of them had yearly penſions of fifty pounds, and the chief of them of a hundred pounds. Burnet, p. 308.

Two

Two days after, the king publiſhed his declaration of war againſt the ſtates, dated the 17th of March [1]. This declaration, as that of the former war, was founded upon generals, and affected pretences. This is always the caſe when war is firſt reſolved, and reaſons or pretences are afterwards ſought. "The king hiſtorically introduced his juſt reaſons "to begin the firſt war upon the ſtates, though it was ended "by the treaty of Breda. He added, that peace was no "ſooner concluded than violated by the ſtates, in not ſend- "ing commiſſioners to London to ſettle the trade of the two "nations in the Eaſt Indies: and when he ſent over his am- "baſſador to put them in mind of it, he could not in three "years get any ſatisfaction from them in the material points, "nor a forbearance of the wrongs which his ſubjects re- "ceived in thoſe parts." 1672.

War declared againſt the Dutch. Echard, III. p. 294. Kennet, p. 310. Burnet. Phillips. R. Coke.

It is eaſy to ſee to what great diſcuſſions theſe generals are liable. 1ſt reflection.

"2. He ſaid, that having reſtored Surinam to them, they "were obliged by the treaty of Breda to permit the Engliſh "in that colony to remove with their effects, but that this "permiſſion was refuſed."

The Dutch maintained on the contrary, that the Engliſh inhabitants of Surinam remained there upon their own choice. 2d reflection.

"3. He complained of abuſive pictures and medals diſ- "perſed over Holland, reflecting on his honour."

The ſtates ſaid, they knew but of one abuſive medal, the ſtamp of which they had ordered to be broke. 3d reflection.

"4. He complained, that in Holland his right of the "flag had been repreſented as ridiculous."

It is eaſy to perceive, whether his pretenſion concerning the yacht which brought over the lady Temple was juſt or not. 4th reflection.

This was the ſubſtance of what was moſt plauſibly alledged for undertaking the war. He ended with this declaration.——"And whereas we are engaged by a treaty "to ſupport the peace made at Aix la Chapelle, we do fi- "nally declare, that notwithſtanding the proſecution of this "war, we will maintain the true intent and ſcope of the ſaid

[1] To furniſh the government with ſome fair pretenſions at leaſt for this war, the committee for the Eaſt India company was ſummoned to ſhew, whether the Dutch had not broke in upon their trade, for which publick ſatisfaction ought to be demanded? They anſwered, and gave it under their hands, That ſince the treaty at Breda, the Dutch had ſufficiently obſerved the articles of trade. Kennet, p. 310.

"treaty;

1672. "treaty; and that in all the alliances which we have or "ſhall make in the progreſs of this war, we have and will "take care, to preſerve the ends thereof inviolable, unleſs "provoked to the contrary." He took but little care of his honour, in pretending to ſhow, that his deſign in breaking with the ſtates and uniting with France, was, to maintain the treaty of Aix la Chapelle. But there was nothing ſo abſurd which the cabal did not think they could impoſe on the publick, wherein they were much miſtaken, as will appear in the ſequel.

This war was ſo contrary to the intereſts of England and all Europe, the defence of which Charles had ſo often boaſted to undertake by means of the triple league; it was ſo directly oppoſite to juſtice, equity, faith, and the religion of the Engliſh, publickly profeſſed by the king, that no man could believe it till the blow was ſtruck. The Hollanders imagined, he only intended to exact ſome money from them, or at moſt, to intimidate them in order to oblige them to reſtore the prince of Orange his nephew to the poſts enjoyed by his anceſtors. France herſelf could hardly believe, but that he intended to deceive her, till he had fallen upon the Smyrna fleet. But all were miſtaken in aſcribing to the king any affection for his people. His ſole aim was to render himſelf abſolute, in order to enjoy all the riches of England without controul, and without any obligations to his parliament. The duke of York, his preſumptive heir, found his account in ſo fine a ſcheme, and, beſides, thought of eſtabliſhing his religion for which he was exceſſively zealous. As for the cabal, they were men entirely deſtitute of all principles of honour, juſtice, or religion, each of whom was ſolely intent upon making his fortune by ſacrificing the intereſt of the publick. For it cannot be thought, that perſons of their abilities could be ignorant, that what they were acting was directly contrary to the intereſts of England. They did not believe, they could execute their grand project without a ſtrict alliance with the king of France, who artfully perſuaded them, that after the republick of Holland ſhould be deſtroyed, the two crowns would jointly labour to render the king abſolute in England, and eſtabliſh the catholick religion, But they had too much cauſe afterwards to ſee that they were deceived by France. Indeed it was not Lewis's intereſt to render the king of England abſolute in his dominions, but rather to ſow and cheriſh diviſion between the king and his ſubjects, in which, by ſeeming to enter into the views of the cabal, he was but too ſucceſsful. But there occurred

obcurred in the execution of the project an obſtacle, which the ſecret counſellors ſhould have foreſeen, and perhaps did foreſee without being able to help it. This was the king's immenſe profuſeneſs, which was the reaſon that all the ſums received from France and the parliament were inſufficient to ſupport the war two years, ſo that he was obliged to have recourſe to the parliament, who at laſt broke meaſures ſo well concerted. On the other hand, this project alarming all Europe, the ſtates found protectors, who rendered the execution very difficult. 1672.

The ſame day that the declaration of war againſt the ſtates was publiſhed at London, the like was publiſhed at Paris, founded upon no juſter grounds. For the king of France gave no other reaſon of the war, than his diſpleaſure at the conduct of the ſtates. This union between France and England (which then appeared openly, whatever care had been hitherto taken to conceal it) ſhowed the ridiculouſneſs of what the king ordered the lord keeper to tell the parliament, "That common prudence required, that his "majeſty ſhould make ſuitable preparations, when France "had ſuch forces both at land and ſea." It appeared by this, that the king ſcrupled not to tell his parliament the contrary of what he thought, which could not but make him loſe the confidence of his people, as it happened accordingly.

The French king declares war againſt Holland. March 28. Baſnage. Kennet, p. 313. Echard. R. Coke.

About a month after, the biſhop of Munſter alſo proclaimed war againſt the Dutch, on pretence, that they had endeavoured to corrupt the governors of his frontier places. As for the elector of Cologne, he had already introduced French troops into his dominions, to provide, as he pretended, for his ſecurity. But though he proteſted an intention to obſerve an exact neutrality, the ſtates were perfectly informed of his treaty with France. Thus theſe four princes were united for the utter deſtruction of the republick of the United Provinces, without mentioning ſeveral princes of Germany engaged by the king of France to ſtand neutral, that they might not aſſiſt Holland.

The biſhop of Munſter declares war againſt the Dutch. The elector of Cologne an ally of France.

The ſtates having ſome time foreſeen the impending ſtorm, had endeavoured to divert it, by giving the king of England all the ſatisfaction he could reaſonably expect. They had offered to agree to whatever he deſired concerning the flag; and beſides, they had on the 24th of February made the prince of Orange captain general, and admiral, though he was then but twenty two years of age. They believed, this would ſuffice to content the king his uncle, for they were

Offers made by the ſtates to pacify the king. Baſnage. Echard. Burnet. The prince of Orange made captain general and admiral. Baſnage.

1672. were yet ignorant that his deſign was to overturn their republick, without any regard to the intereſts of the prince of Orange. This change in favour of the young prince, would, perhaps, have never been made, had it not been deemed neceſſary to appeaſe the king of England. There were three parties in Holland: that of the penſionary, (which was the more powerful, and called the Louveſtein party, from the name of the caſtle where the prince's father had confined the leading men of this faction,) that of the prince of Orange; and a third which affected a neutrality, and had hitherto joined with neither of the two firſt, but on this occaſion believed it neceſſary to join with the ſecond, in hopes of ſatisfying the king of England. The ſtates therefore ſent a deputation to the prince, to offer him the dignities of captain general, and admiral, and the penſionary de Wit, to his mortification, was appointed head of the deputation. Thus the prince of Orange ſaw himſelf captain general, but without an army, or at leaſt, with an army ſo inconſiderable, and filled for the moſt part with unexperienced officers, choſen more for their attachment to the penſionary, than their perſonal merit.

Progreſs and conqueſts of the king of France. Primi. Baſnage. Echard. Burnet.

I ſhall not relate the progreſs of the king of France, and his two allies, the biſhop of Munſter, and the elector of Cologne, in the firſt campaign. This is ſo well known, that it would be loſt time to recite it. Let it ſuffice to obſerve, that the king of France took the field the beginning of May; made himſelf maſter of ſeveral places on the Rhine, without almoſt any oppoſition; and ſwimming that river, ſubdued all Guelderland with the towns upon the Yſſel, and at laſt arrived at Utrecht, which had ſent deputies to Doeſburgh to offer their ſubmiſſion to his orders. At the ſame time, the biſhop of Munſter, after ravaging the province of Overyſſel, invaded Frieſeland and Groninghen, ſo that only Holland and Zealand remained free, of which the former was threatened with a like invaſion.

Of the biſhop of Munſter. Primi.

But this was not all the ſtates had to fear. Whilſt three of their provinces were loſt, and two others attacked, the danger from ſea was no leſs. The two fleets of France and England joined the beginning of May; the firſt conſiſting of forty, and the laſt of a hundred, men of war. That of the ſtates had ſeventy two large ſhips, and forty frigates and fireſhips, and conſequently was very inferior in number to the combined fleet of England and France [k]. It was commanded

Baſnage. Kennet, p. 314. Echard, III. p. 209.

[k] Baſnage ſays, it conſiſted in all of a hundred and fifty eight ſhips, tom. II. p. 206.

ed by the famous Ruyter, aſſiſted by Cornelius de Wit, the penſionary's brother, as deputy from the ſtates. Ruyter having put to ſea before the enemies fleets were joined, had endeavoured to prevent the junction. But not ſucceeding, and being informed, that the two fleets lay at anchor in Solbay in Suffolk, he reſolved to attack them. He had like to have ſurprized them, but being diſappointed, prepared for battle. The two fleets of France and England (now compoſing but one) were ranged in three ſquadrons. The duke of York, high admiral of England, commanded the red ſquadron; the count d'Etrees, the white; and the earl of Sandwich, the blue. The fleet of the ſtates was likewiſe divided in the ſame manner; Ruyter was oppoſed to the duke of York, Bankert to count d'Etrees, and Van Ghent, to the earl of Sandwich. All I can gather from the various deſcriptions of this battle, fought the 28th of May, is, that both ſides diſplayed all the art and ſkill which experience had taught the commanders and officers, that they fought with equal bravery, with almoſt equal loſs, and both ſides challenged the victory. The admiral ſhip of the Engliſh being diſabled, the duke of York was obliged to hoiſt his flag in the London. The Royal James, commanded by the earl of Sandwich, not being able to diſengage from a fireſhip, after ſhe had ſunk two, was blown up with the earl and her whole crew [1]. The Engliſh loſt two ſhips more, the Hollanders three, and Van Ghent was killed. The hiſtorians of the two parties equally pretend, that their fleet chaced that of the enemies, but both ſpeak of it very faintly. For, it is not entirely the ſame with engagements at ſea, as with thoſe at land, where commonly he that remains maſter of the field of battle, juſtly aſſumes the honour of the victory; whereas in naval engagements, a fog, a calm, a wind, either contrary or tempeſtuous, may oblige the victorious fleet

1672.

A naval engagement at Southwold Bay or Solbay: Burchett. Echard, III. p. 299. Baſnage. Primi.

The victory uncertain.

p. 206. In the Engliſh fleet there were twenty thouſand men, and four thouſand guns; in the French, thirteen thouſand men, and two thouſand guns; and in the Dutch, twenty two thouſand men, and four thouſand guns. Maiole, or Primi, p. 21.

[1] Of the thouſand men on board, ſix hundred were killed on the deck. When the ſhip was on fire, the earl retired to his cabin, where he was followed by his capt. ſir Richard Haddock, who finding him with a handkerchief before his eyes, told him of the danger; but he anſwered, "He ſaw how "things went, and was reſolved to "periſh with the ſhip." It ſeems, the day before the earl obſerving, that the Engliſh fleet rode in Southbay, in danger of being ſurprized by the Dutch, adviſed, that they ſhould weigh anchor, and get out to ſea. But the duke of York, fighting the advice, told the earl, "That he ſpake that out of fear;" which the earl is thought to have ſo highly reſented, that it rendered him careleſs of his own ſafety. Kennet, p. 314. Echard, tom. III. p. 300.

1672. to retire the firſt. However this be, bonfires were equally made at London, and the Hague, for the ſucceſs of this battle, though with very little reaſon. The Engliſh complain, the French did not diſcharge their duty, and only fought at a diſtance, after having ſeparated from the fleet. This conduct is aſcribed to ſecret orders given to count d'Etrees, not to expoſe too much his majeſty's ſhips, but to leave the Engliſh and Dutch fleets to deſtroy one another [m].

Burnet. Echard.

Sometime before, the king had created the earl of Lauderdale, duke of the ſame name; the lord Aſhley Cooper, earl of Shaftſbury; lord Arlington, earl of Arlington; and ſir Thomas Clifford, lord Clifford. About the ſame time ſir Thomas Oſborn was ſworn into the privy council, and the new duke of Lauderdale, and the earl of Arlington, received the order of the garter. This was doubtleſs, to recompence theſe members of the cabal, for their great ſervices, in adviſing him to ſuſpend, by his ſole authority, the execution of two acts of parliament [n], till he ſhould think fit to take off the ſuſpenſion. Though this ſuſpenſion was not in itſelf diſadvantageous to the publick, yet, as it proceeded from the ſame principle by which the king aſſumed a power of ſuſpending the penal laws againſt the nonconformiſts, it was ſufficiently clear, that he would not ſtop there.

Advancements at court. April 20. Kennet, p. 314.

The king ſuſpends the execution of two acts of parliament. May 10. Ibid. Echard.

I have already taken notice of the ſad condition of the ſtates of the United Provinces. There were two provinces, Guelderland, and Utrecht, in the power of the French. Overyſſel was in the hands of the elector of Cologne, and the biſhop of Munſter. The two provinces of Friſeland and Groninghen were not only threatened, but alſo attacked. In ſhort, the province of Holland found no readier way to ſtop the progreſs of the French king [o]; who was at Utrecht,

Holland in a moſt deplorable condition. Baſnage. Kennet, p. 314.

[m] There were two Engliſh ſhips burnt, three ſunk, and one taken; and of the French, one was burnt, and another ſunk. Burchett, p. 403. The Engliſh alſo loſt the captains of the following ſhips; of the Henry, Cambridge, Prince, St. George, Anne, Triumph, and Alice. They loſt alſo the lord Majeſtone, mr. Montague, ſir Phillip Cartwright, ſir Charles Harbord, mr. Cotterel, mr. Napier, &c.—The body of the earl of Sandwich was diſcovered by one of the king's ketches (being known by the George he had on) and being taken up, and brought to Harwich, was thence removed to London, and ſolemnly buried in Weſtminſter Abbey. Kennet, p. 314.

[n] One was, for the encouraging and increaſing of ſhipping and navigation; and the other, for the encouragement of trade. Kennet, p. 314.

[o] Who was approaching with an army of one hundred and eighteen thouſand foot, and twenty ſix thouſand horſe; commanded by the prince of Conde, and the marſhal de Turenne. Idem, p. 315.

than

than by opening the ſluices, and laying the country under water [p]. This melancholly ſituation of affairs, raiſed a great diſcontent in the people of Holland: and as the penſionary de Wit had been many years at the head of the government, all the calamities of his country were charged to his ill conduct. Moreover, the people openly accuſed him of betraying his country. At laſt, the general diſcontent roſe into ſedition, and cauſed the ſtates of Holland to annul the perpetual edict made in the year 1667, by which they had obliged themſelves never to own the prince of Orange for Stadtholder, and to diſpenſe with that oath; after which, the prince was made Stadtholder. Some time after, the two brothers, Cornelius, and John, de Wit, the firſt grand bailiff of Putten, and the other penſionary of Holland, but who had lately thrown up his employ, were torn in pieces by the mob of the Hague. The ſtory is too well known to need a recital. It ſuffices to ſay, the prince of Orange remained in peaceable poſſeſſion of the government of Holland and Zealand; for Friſeland, and Groninghen had a ſeparate Stadtholder, namely, the young prince Henry Caſimir of Naſſau, under the tuition of the princeſs his mother [q], and three provinces were in the hands of the enemy.

1672.

Admits the prince of Orange to the office of ſtadtholder.

July 3. The two de Wits tore to pieces by the rabble.

Temple's mem. Baſnage. Echard. Burnet.

The king of France, who had ever feared the prince of Orange's advancement, no ſooner ſaw him inveſted with his eminent dignity, than he endeavoured to corrupt him with the offered ſovereignty of Holland. But he found the young prince deaf to all his offers, and reſolute to ſerve the ſtates who had intruſted him with its government, to the laſt moment of his life [r]. The king of England ſeconded his ally in this deſign. The ſtates had ſent ambaſſadors to him with propoſals of peace, as they had alſo to the king of France at Utrecht. But the king, after a refuſal to treat but in conjunction with France, and fearing the ſtates deſign was to diſunite them, or render them jealous of each other, diſpatched the duke of Buckingham, and the earl of Arlington, (two members of the cabal,) with George Savil, lord Halliſax into Holland, on pretence of treating of a peace jointly with France. *Theſe ambaſſadors paſſing through the Hague,*

The king of France tries to corrupt the prince of Orange, but in vain. Temple's mem. Baſnage.

Charles ſends ambaſſadors into Holland. Arlington's letters. Kennet. Baſnage.

[p] By which the country received damage, to the value of eighteen millions of guilders. Ibid.

[q] Rapin ſays, by miſtake, John Caſimir, born 1687, ſon of Henry Caſimir, who was born 1657, and died 1696.

[r] He always anſwered, That he would never betray a truſt that was given him, nor ever ſell the liberties of his country, that his anceſtors had ſo long defended. Temple's mem. p. 381.

1672. in their way to Utrecht, affected to give out, that they were come to bring peace. But when they came to treat, their propoſals were ſo exorbitant, that it was evident peace was not the king's view in this embaſſy. It was rather to draw cloſer the alliance between France and England, and concert new meaſures for the proſecution of the war, as the ſequel clearly diſcovered. In paſſing through the Hague, the duke of Buckingham aſked the prince, what it was he propoſed to himſelf in the deſperate ſituation of his country. To which the prince replied, "That it was true their condition was "dangerous, but he had one way ſtill not to ſee its ruin "compleated, and that was to lie in the laſt dyke." It is reported, the ſame duke, in a viſit to the princeſs of Orange, having told her that they were good Hollanders, was immediately anſwered by her, "That was more than they aſked, "which was only that they ſhould be good Engliſhmen." For the war was ſo evidently contrary to the intereſt of England, that the Engliſh themſelves openly murmured at it. But, as I have ſaid, not only on this occaſion, but throughout this whole reign, the intereſt of the king, and that of the people were always directly oppoſite. The king, after the example of his father and grandfather, thought he could ſilence the complaints of the people by a proclamation to forbid, under ſevere penalties, to ſpeak againſt the government, but this ſerved only to increaſe the murmurs.

Echard, III. p. 305. Burnet. Temple's mem. p. 382. Kennet. Echard.

In the mean time, the king of France ſeeing, that the drowning of Holland put a ſtop to his conqueſts, marched his army into Flanders, leaving the duke of Luxemburgh at Utrecht, and came to Paris in Auguſt, attended by the duke of Monmouth, who, in purſuance of Charles's engagement in their treaty, had brought him, at the opening of the campaign, ſix thouſand effective men.

Lewis marches into Flanders. Baſnage. Kennet.

I ſhall not relate the particulars of the war carried on by land during the reſt of the campaign, becauſe England had no part in it, and, beſides, it is fully deſcribed by the hiſtories of thoſe times. It is ſufficient for the reader to know in general, that though the ſtates had ſome ſucceſs againſt the biſhop of Munſter, their affairs were reduced to a wretched condition, and the neighbourhood of the duke of Luxemburgh ſcarce gave them time to breathe. Their whole refuge lay in the alliances they expected to make with the emperor, Spain, and ſome princes of Germany, and in the hopes that the Engliſh parliament which was to meet, according to the prorogation the 30th of October, would ſee the intereſt of England and of all Europe. But

Baſnage. The Dutch conceive great hopes from the parliament. Arlington's letters.

the

the king deprived them of this laſt reſource, by proroguing the parliament to February. 1672.

The 4th of December the king declared in council, that he would raiſe more forces, and diſpoſe of them in convenient quarters, to be employed on occaſion. And for payment of them, he ordered that the exchequer ſhould continue ſhut till the 1ſt of May 1673, though he had poſitively promiſed it ſhould be opened the beginning of the year. He publiſhed on this account, a proclamation, in which it was ſaid, "That notwithſtanding his majeſty had "not been wanting on his part, to comply with all ho- "nourable ways and means that might effect a peace, yet "the continuance of thoſe inevitable neceſſities which firſt "obliged him to ſhut up the exchequer, compelled him "to continue to ſtop the payment of moneys till the 1ſt "of May next: doubting not but that his loving ſubjects "would have ſuch truſt and confidence in his juſtice, that "it would take away all apprehenſions of their being in "the leaſt defrauded of their juſt dues." The exchequer ſhut by a new order. Echard, III. p. 306.

The ways and means uſed by the king to effect a peace, conſiſted, in that his two ambaſſadors at Utrecht were contented to demand in his name, a million of pounds ſterling, for the expences of the war; the compliment of the flag without any exception; a hundred thouſand pounds yearly for the liberty of fiſhing; the ſovereignty of all that ſhould remain of the United Provinces, for his nephew the prince of Orange; a participation of the whole India trade; the town of Sluis, the iſles of Cadſant, Walcheren, Goercé, Voorne; and laſtly, an entire ſatisfaction to the king of France. It muſt have been great obſtinacy in the ſtates to find fault with ſuch reaſonable demands. Conſequently the king could not in honour diſpenſe with the continuation of the war, and the keeping the Exchequer ſhut to maintain it. The king's demands for a peace. Baſnage, II. p. 257.

Sir John Trevor dying this year, ſir Henry Coventry, lately returned from Sweden, where he had ſucceſsfully negotiated for the king, ſucceeded him in the office of ſecretary of ſtate. Coventry made ſecretary,

Sir Orlando Bridgeman reſigning the great ſeal, the new earl of Shaftſbury was made lord high chancellor *. A few days after, the king performed his promiſe to Clifford, by making him lord treaſurer, ſo that all the great and Shaftsbury lord chancellor. Kennet, p. 316.

* He refuſed to put the great ſeal to the declaration for indulgence, as judging it contrary to law: ſo he was diſmiſſed. Burnet, p. 307.

1672. offices of the ſtate were held by the cabal, or by perſons devoted to their intereſts. But that it may be ſeen, how the five lords of the cabal flattered the king, and one another, at the very time, the nation was moſt loudly exclaiming againſt the government, I ſhall inſert here part of a ſpeech made by the lord Shaftſbury, as chancellor, to the lord Clifford, when he tendered him the oath in Weſtminſterhall, upon his admiſſion to the office of treaſurer. After telling him the nature of his office, he added,—— "My lord, I may juſtly ſay you are in a place "of the very firſt rank as to dignity, power, truſt, and "influence of affairs; a place that requires ſuch a man "as our great maſter's wiſdom hath found for it; from "whoſe natural temper we may expect courage, quick-"neſs and reſolution; from whoſe education, wiſdom, "and experience; and from whoſe extraction that noble "and illuſtrious houſe of the Cliffords [t], an heroick mind, "a large ſoul, and an unſhaken fidelity to the crown. "My lord, it is a great honour, much even beyond the "place it ſelf, that you are choſen to it by the king, who, "without flattery, I may ſay, is as great a maſter in the "knowledge of men and things, as this, or any other age "hath produced: and let me ſay farther, it is not only "your honour that you are choſen by him, but it is your "ſafety too, that you have him to ſerve; with whom no "ſubtle inſinuations of any near him, nor the aſpiring "intereſt of a favourite, ſhall ever prevail againſt thoſe "that ſerve him well. Nor can his ſervants fear to be "ſacrificed to the malice, fury, or miſtake of a more "ſwelling popular greatneſs: a prince under whom the "unfortunate fall gently: a prince in a word, that beſt of "all mankind deſerves the title of deliciæ humani generis. "Let me end with this wiſh, or rather prophecy, that "you may exceed all your predeceſſors in this place; the "abilities and fidelity of the renowned lord Burleigh; the "ſagacity, quickneſs, and great diſpatch of his ſon the "lord Saliſbury; and the uprightneſs, integrity, and wiſ-"dom of that great man that went laſt before you, the "earl of Southampton."

It will hereafter appear, that the earl of Shaftſbury preſerved not long the ſentiments of eſteem and admiration for the king, expreſſed in this ſpeech.

[t] The treaſurer was deſcended from the Cliffords earls of Cumberland. See Dugdale's baron. tom. I. p. 334.

Hitherto

Hitherto the cabal had ſailed with a proſperous gale on a very dangerous ſea, famous for wrecks, without any oppoſition. But at laſt they were ſtopped in their courſe by a rock which it was not poſſible to avoid, I mean the parliament. It was now almoſt two years ſince the parliament was aſſembled, and as, in that interval, the king had taken ſome ſteps which inſtilled great fears into his ſubjects, the new ſeſſion was expected with the utmoſt impatience, in hopes, that the parliament would apply proper remedies to the preſent evils, and find means to prevent thoſe with which the kingdom was ſtill threatened. The parliament therefore met the 4th of February, and choſe a ſpeaker by the direction of the court, ſir Edward Turner the laſt ſpeaker having been made chief baron of the Exchequer. The choice falling upon ſir Job Charleton, he deſired to be excuſed; but the lord chancellor Shaftſbury told him, before the king and both houſes, that no excuſes would be admitted. "The conjuncture of time, (ſays he,) and the "king's and kingdom's affairs, require ſuch a houſe of "commons, and ſuch a ſpeaker. For, with reverence to "the holy ſcripture, the king may on this occaſion ſay, "he that is not with me is againſt me: for he that doth "not now put his hand and heart to ſupport the king in "the common cauſe of this kingdom, can hardly ever hope "for ſuch another opportunity, or find a time to make "ſatisfaction for the omiſſion of this." Preſently after, the king made the following ſpeech to both houſes.

1672-3.

The parliament meets. Echard.

A new ſpeaker choſen.

My lords and gentlemen,

"I Am glad to ſee you here this day; I would have "called you together ſooner, but that I was willing "to eaſe you and the country, till there was an abſolute "neceſſity. Since you were laſt here, I have been forced "to a moſt important, neceſſary and expenſive war; and "I make no doubt, but you will give me ſuitable and ef-"fectual aſſiſtance to go through with it. I refer you to "my declaration for the cauſes, and indeed the neceſ-"ſity of this war; and ſhall now only tell you, that I "might have digeſted the indignities to my own perſon, "rather than have brought it to this extremity, if the in-"tereſt as well as the honour of the whole kingdom had "not been at ſtake: And if I had omitted this conjunc-"ture, perhaps I had not again ever met with the like "advantage. You will find, that the laſt ſupply you gave "me, did not anſwer the expectation for the end you gave

The king's ſpeech to the parliament. Echard.

1672-3. "it, the payment of my debts. Therefore I muſt in "the next place recommend them again to your eſpecial "care.

"Some few days before I declared the war, I put forth "my declaration for indulgence to diſſenters, and have "hitherto found a good effect of it, by ſecuring peace "at home, when I had war abroad. There is one part "in it that hath been ſubject to miſconſtruction, which is "that concerning the papiſts; as if more liberty were "granted to them, than to the other recuſants; when it "is plain, there is leſs: for the others have publick places "allowed them, and I never intended that they ſhould "have any, but only have the freedom of their religion in "their own houſes, without any concourſe of others. And "I could not grant them leſs than this, when I had "extended ſo much more grace to others, moſt of them "having been loyal, and in the ſervice of me, and of the "king my father: and in the whole courſe of this in-"dulgence, I do not intend, that it ſhall any ways preju-"dice the church, but I will ſupport its rights, and it in "its full power. Having ſaid this, I ſhall take it very ill "to receive contradiction in what I have done. And I "will deal plainly with you, I am reſolved to ſtick to my "declaration. There is one jealouſy more that is malici-"ouſly ſpread abroad, and yet ſo weak and frivolous, that "I once thought it not of moment enough to mention; "but it may have gotten ſome ground with ſome well-"minded people, and that is, that the forces I have rai-"ſed in this war, were deſigned to controul law and pro-"perty: I wiſh I had more forces the laſt ſummer, the "want of them convinces me, I muſt raiſe more againſt "this next ſpring; and I do not doubt but you will con-"ſider the charge of them in your ſupplies. I will con-"clude with this aſſurance to you, that I will preſerve "the true reformed proteſtant religion, and the church, "as it is now eſtabliſhed in this kingdom; and that no "man's property or liberty ſhall ever be invaded. I leave "the reſt to the chancellor."

The ſpeech afterwards ſpoke by the chancellor is ſo remarkable, that it well deſerves a place in this hiſtory.

"My lords, and you knights, citizens, and burgeſſes of "the houſe of commons.

"The king hath ſpoke ſo fully, ſo excellently well, and "ſo like himſelf, that you are not to expect much from "me.

" me. There is not a word in his ſpeech that hath not 1672-3.
" its full weight: And I dare with aſſurance ſay, will have
" its effect with you. His majeſty had called you ſooner,
" and his affairs required it, but that he was reſolved to
" give you all the eaſe and vacancy to your own private
" concerns; and the people as much reſpite from pay-
" ments and taxes, as the neceſſity of his buſineſs, or their
" preſervation, would permit. And yet (which I cannot
" but here mention to you) by the crafty inſinuations of
" ſome ill-affected perſons, there have been ſpread ſtrange
" and deſperate rumours, which your meeting together
" this day, hath ſufficiently proved both malicious, and
" falſe. His majeſty hath told you, that he is now en-
" gaged in an important, very expenſive, and indeed a
" war abſolutely neceſſary and unavoidable. He hath re-
" ferred you to his declaration, where you will find the
" perſonal indignities by pictures and medals, and other
" publick affronts, his majeſty hath received from the
" ſtates, their breach of treaties, both in the Surinam,
" and Eaſt India buſineſs: And at laſt they came to that
" height of inſolence, as to deny the honour and right of
" the flag, though an undoubted jewel of this crown, ne-
" ver to be parted with, and by them particularly owned
" in the late treaty of Breda, and never conteſted in any
" age. And whilſt the king firſt long expected, and then
" ſolemnly demanded ſatisfaction, they diſputed his title
" to it, in all the courts of Chriſtendom, and made great
" offers to the French king, if he would ſtand by them
" againſt us. But the moſt chriſtian king too well re-
" membered, what they did at Munſter, contrary to ſo
" many treaties and ſolemn engagements; and how dan-
" gerous a neighbour they were to all crowned heads.
" The king and his miniſters had here a hard time, and
" lay every day under new obloquies. Sometimes they
" were repreſented as ſelling all to France for money to
" make this war: Portſmouth, Plymouth, and Hull, were
" to be given into the French hands for caution. The
" next day news came, that France and Holland were a-
" greed. Then the obloquy was turned from treachery
" to folly: the miniſters are now fools, that ſome days
" before were villains. And indeed the coffee-houſes were
" not to be blamed for their laſt apprehenſions; ſince if
" that conjunction had not taken effect, then England had
" been in a far worſe caſe than it now is, and the war had
" been turned upon us. But both kings knowing their
" intereſts,

1672-3. " intereſts, reſolved to join againſt them, who were the
" common enemies to all monarchies, and I may ſay eſ-
" pecially to ours, their only competitor for trade and
" power at ſea; and who only ſtand in their way, to an
" univerſal empire, as great as Rome. This the ſtates
" underſtood ſo well, and had ſwallowed ſo deep, that un-
" der all their preſent diſtreſs and danger, they are ſo in-
" toxicated with that vaſt ambition, that they ſlight a treaty,
" and refuſe a ceſſation. All this, you, and the whole
" nation ſaw, before the laſt war; but it could not then
" be ſo well timed, or our alliances ſo well made. But
" you judged aright, that at any rate, DELENDA EST
" CARTHAGO, That government was to be brought
" down. And therefore the king may well ſay to you,
" it is your war! he took his meaſures from you; and
" they were juſt and right ones: and he expects a ſuit-
" able aſſiſtance to ſo neceſſary and expenſive an action;
" which he has hitherto maintained at his own charge,
" and was unwilling either to trouble you, or burthen
" the country, until it came to an inevitable neceſſity.
" And his majeſty commands me to tell you, that unleſs
" it be a certain ſum, and ſpeedily raiſed, it can never
" anſwer the occaſion.

" My lords and gentlemen, reputation is the great ſup-
" port of war or peace. This war had never begun,
" nor had the ſtates ever ſlighted the king, or ever refuſed
" him ſatisfaction; neither had this war continued to
" this day, or ſubſiſted now, but that the ſtates were
" deceived in their meaſures, and apprehended his majeſty
" in that great want of money, that he muſt ſit down un-
" der any affronts, and was not able to begin or carry
" on a war. Nay, at this day the ſtates ſupport them-
" ſelves amongſt their people by this only falſehood, that
" they are aſſured of the temper of England, and of the
" parliament, and that you will not ſupply the king in this
" war; and that if they can hold out till your meeting,
" they will have new life, and take new meaſures. There
" are lately taken two of their principal agents, with their
" credentials and inſtructions to this purpoſe, who are
" now in the Tower, and ſhall be proceeded againſt ac-
" cording to the law of nations. But the king is ſuffi-
" ciently aſſured of his people; knows you better; and
" can never doubt his parliament. This had not been
" mentioned, but to ſhew you of what importance the
" frankneſs and ſeaſonableneſs of this ſupply is, as well as

" the

" the fulneſs of it. Let me ſay, the king has brought the 1672-3.
" ſtates to that condition, that your hearty conjunction at
" this time in ſupplying his majeſty, will make them ne-
" ver more formidable to kings, or dangerous to England.
" And if after this you ſuffer them to get up, let this be
" remembered, the ſtates of Holland are England's eter-
" nal enemies both by Intereſt and Inclination. In the
" next place, to the ſupply for the carrying on of the
" war, his majeſty recommends to you the taking care
" of his debts. What you gave the laſt ſeſſion did not
" anſwer your own expectation. Beſides another conſide-
" rable aid, you deſigned his majeſty, was unfortunately
" loſt in the birth; ſo that the king was forced for the
" carrying on his affairs, much againſt his will, to put a
" ſtop to the payments out of the exchequer. He ſaw
" the preſſures upon himſelf, and growing inconvenien-
" cies to his people by great intereſt; and the difference
" through all his buſineſs between ready money and or-
" ders. This gave the king the neceſſity of that pro-
" ceeding; to make uſe of his own revenue, which hath
" been of ſo great effect in this war. But though he hath
" put a ſtop to the trade and gain of the bankers, yet he
" would be unwilling to ruin them, and oppreſs ſo many
" families as are concerned in thoſe debts: beſides, it were
" too diſproportionable a burthen upon many of his good
" ſubjects. But neither the bankers, nor they, have reaſon
" to complain, if you now take them into your care,
" and they have paid them what was due to them when
" the ſtop was made, with ſix per cent. intereſt from
" that time. The king is very much concerned both in
" honour and intereſt, to ſee this done, and yet, he de-
" ſires you not to miſtime it; but that it may have only
" the ſecond place, and that you will firſt ſettle what you
" intend about the ſupply.

" His majeſty has ſo fully vindicated his declaration
" from that calumny concerning the papiſts, that no rea-
" ſonable ſcruple can be made by any good man. He has
" ſufficiently juſtified it by the time it was publiſhed in,
" and the effects he had from it; and might have done
" it more from the agreeableneſs of it, to his own natu-
" ral diſpoſition, which no good Engliſhman can wiſh
" other than it is. He loves not blood, or rigorous ſe-
" verities; but where mild and gentle ways may be uſed
" by a wiſe prince, he is certain to chuſe them. The
" church of England, and all good proteſtants, have reaſon

1672-3. " to rejoice in ſuch a head, and ſuch a defender. His ma-
" jeſty doth declare his care and concerns for the church,
" and will maintain them in all their rights and privile-
" ges, equal, if not beyond any of his predeceſſors. He
" was born and bred up in it: It was that his father died
" for: we all know how great temptations and offers he
" reſiſted abroad, when he was in his loweſt condition;
" and he thinks it the honour of his reign, that he hath
" been the reſtorer of the church. It is that he will ever
" maintain, and hopes to leave to poſterity in greater luſtre,
" and upon ſurer grounds, than our anceſtors ever ſaw it.
" But his majeſty is not convinced, that violent ways are
" the intereſt of religion, or the church. There is one
" thing more, that I am commanded to ſpeak to you of,
" which is the jealouſy that hath been fooliſhly ſpread
" abroad, of the forces the king had raiſed in this war.
" Wherein the king hath opened himſelf freely to you,
" and confeſſed the fault on the other hand. For if this
" laſt ſummer had not proved a miracle of ſtorms and
" tempeſts, ſuch as ſecured their Eaſt India fleet, and pro-
" tected their ſea coaſts from a deſcent, nothing but the
" true reaſon, want of money, could have juſtified the
" defect in the number of our forces. It is that his ma-
" jeſty is provided for againſt the next ſpring, having given
" out orders for the raiſing of ſeven or eight regiments more
" of foot, under the command of perſons of the greateſt
" fortunes and quality. And I am earneſtly to recommend
" to you, that in your ſupplies, you will take into your
" conſideration, this neceſſary addition of charge.

" And after his majeſty's concluſion of his ſpeech, let
" me conclude, nay, let us all conclude with bleſſing God,
" and the king! let us bleſs God, that he hath given us
" ſuch a king, to be the repairer of our breaches, both in
" church and ſtate; and the reſtorer of our paths to dwell
" in: that in the midſt of war and miſery, which rages
" in our neighbour countries, our garners are full, and
" there is no complaining in our ſtreets; and a man can
" hardly know that there is a war. Let us bleſs God
" that he hath given this king ſignally the hearts of his
" people, and moſt particularly of his parliament, who in
" their affection and loyalty to their prince, have exceeded
" all their predeceſſors: a parliament, with whom the
" king hath many years lived with all the careſſes of a
" happy marriage. Has the king had a concern? you
" have wedded it. Has his majeſty wanted ſupplies? you

" have

" have readily, chearfully, and fully provided for them. 1672-3.
" You have relied upon the wiſdom and conduct of his ma-
" jeſty in all his affairs; ſo that you have never attempted
" to exceed your bounds, or to impoſe upon him: whilſt
" the king, on the other hand, hath made your counſels
" the foundation of all his proceeding; and hath been
" ſo tender of you, that he hath upon his own revenue
" and credit, endeavoured to ſupport even foreign wars,
" that he might be leaſt uneaſy to you, or burthenſome
" to his people. And let me ſay, that though this mar-
" riage be according to Moſes's law, where the huſband
" can give a bill of divorce, put her away and take a-
" nother; yet I can aſſure you, it is as impoſſible for
" the king to part with this parliament, as it is for you
" to depart from that loyalty, affection and dutiful be-
" haviour, you have hitherto ſhewn towards him. Let
" us bleſs the king for taking away all our fears, and
" leaving no room for jealouſies; and for thoſe aſſu-
" rances and promiſes he hath made us. Let us bleſs
" God and the king, that our religion is ſafe; that the
" church of England is the care of our prince; that par-
" liaments are ſafe; and that our properties and liber-
" ties are ſafe. What more hath a good Engliſhman to
" aſk? But that this king may long reign, and this
" triple alliance of king, parliament, and people, may
" never be diſſolved."

I ſhall make no reflections on this ſpeech, becauſe it would lead me too far; and beſides, I imagine every diſintereſted reader can ſee the falſity of moſt of the things related, and the groſs artifice wherewith they are vented. I ſhall only obſerve, that this ſpeech was ſpoke by a member, or rather by the head of the cabal, who perfectly knew the king's ſecret intentions. The earl of Shaftſbury therefore muſt have had a forehead of braſs to pronounce ſuch a ſpeech before ſo auguſt an aſſembly. But very likely, this was only for form ſake, and the cabal believed themſelves ſo ſecure, that the parliament itſelf would not dare to ſeem to know their artifices. But they were miſtaken, and even the houſe of commons had already given ſome indications of vigour, before the king and chancellor had delivered their ſpeeches. Preſently after their meeting, they loudly complained of writs iſſued out by the lord chancellor, for electing and returning of perſons to ſit in their houſe, in the room of ſuch as were dead, or removed. And by the way, all the members elected by virtue of theſe writs,

Remark upon this ſpeech.

Echard, III. p. 315. Burnet.

1672-3. were the chancellor's creatures. This complaint cauſed the king immediately after the two ſpeeches, to declare to the commons, "That he had given order to the lord chancellor "to ſend out writs, for the better ſupply of their houſe, ha- "ving ſeen precedents for it; but if any ſcruple or queſtion "did ariſe about it, he left it to the houſe to debate as ſoon "as they could." Accordingly, the very next day the commons voted the writs and returns irregular, and expelled all the members thus elected.

Members unduly elected turned out of the houſe.

There were in this parliament, as in moſt others, two parties, called the court and country party. This was their diſtinction, and it manifeſtly implied, that the intereſts of the court were directly oppoſite to thoſe of the people, as the intereſts of one party are uſually to thoſe of the contrary. The court party had always prevailed, while the people were perſuaded of the good intentions of the king and his miniſters. But as the king diſcovered himſelf, both by his way of living, and frequent ſigns of irreligion; or by his inclination for the papiſts; or by his profuſion, and avidity of money; or laſtly, by his union with France, and the war with the ſtates, his party ſenſibly decreaſed every day, for two very natural reaſons. Firſt, becauſe many of thoſe members, who, at the beginning, were of the king's party through inclination and zeal for religion, whilſt they conſidered him as protector of the church of England, loſt this inclination, as ſoon as they were convinced, that the king was far from deſigning the good of the church or ſtate. The king's proteſtations loſt all their effect, when it was once ſeen, that his actions correſponded ſo little with his words. Secondly, for the ſame reaſon, the people, perceiving that religion and the ſtate were in danger, choſe ſuch repreſentatives to fill the vacancies of the houſe, whoſe principles were directly oppoſite to the deſigns of the court. As the vacancies by the death of the members could not but be very numerous in a parliament, which had now ſat twelve years, the country party came by degrees to prevail, and the king and his miniſters no longer found it ſo eaſy to carry whatever they deſired, as at the beginning of the parliament. It is certain, ſo long as the people do not ſuſpect the king of ill deſigns againſt liberty and religion, the court party prevail in the parliament, or rather there are not then two different parties. For, ſuppoſing the king an exact obſerver of the laws himſelf, and careful to ſee them punctually obeyed, there can be no difference between the two parties, but with reſpect to the quantity of money granted to the king.

Two parties in the parliament.

That of the people uppermoſt.

But

But as the people are under obligations to the king, for his maintenance of order, equity, moderation, and juſtice in the government, they are never uneaſy with the power and wealth heaped on ſuch a king, and commonly the country party, if there is one in the parliament, is much inferior to the king's. But the caſe is quite different, when the people are once prejudiced againſt their ſovereign, and no longer confide in his promiſes. For then, the court party is compoſed of men, who have only their own private fortune in view, and is not ſo numerous as that of the people, which, beſides the publick intereſt, finds likewiſe a private advantage in oppoſing the deſigns of the court. In this caſe, the people uſually chuſe able repreſentatives, and ſuch as are believed well affected to their country, and it is very rarely that the intrigues of the court are capable of hindering theſe elections. A proof of what I advance was ſeen in the elections of the parliament of the 3d of November 1640, under Charles I, wherein the country party was ſo ſuperior to that of the court. This proof is confirmed by the tranſactions of the parliament I am now ſpeaking of, which for twelve years had appeared ſo devoted to the king, and which changed from one extreme to another, when they had once loſt their former confidence in the king and his miniſters. It is in vain to aſcribe this change to the intrigues and cabals of ſome particular enemies of the court. Never would private perſons be powerful enough to corrupt a whole parliament, or the greater part, if their credit was not built upon the miſmanagement of the king and his miniſters. As we are entering upon a new period, I believed it neceſſary to prepare the reader for this change, by ſhowing him the true cauſe of it. 1672-3.

We have ſeen in the two ſpeeches of the king and the chancellor, what vaſt ſupplies the king demanded of his parliament, namely, a conſiderable aid for the ſea ſervice; another for the land; a third to diſcharge ſome old debts; a fourth to refund the money taken out of the exchequer, and which could not amount to leſs than two millions two hundred and fifty thouſand pounds ſterling for the ſpace of ſeventeen months. All this computed, muſt have amounted at leaſt to five millions. Though the chancellor's ſpeech made but little impreſſion on the commons, they would however ſhow, that in demanding a redreſs of grievances, as was their intention, they did not act through a ſpirit of paſſion and revenge. Wherefore, though they were by no means convinced of the neceſſity or juſtice of the war undertaken Feb. 7. Kennet, p. 318.

1672-3. dertaken by the king, they voted a ſupply of an eighteen months aſſeſſment of ſeventy thouſand pounds per menſem, which in all amounted to twelve hundred and ſixty thouſand pounds, for the king's extraordinary occaſions, without ſpecifying that it was for the ſupport of the war. But for fear the king ſhould prorogue them when the money bill was paſſed, they reſolved that the redreſs of grievances ſhould keep an even pace with it.

Echard, III. p. 314. J. Phillips.

Addreſs of the commons againſt the declaration for liberty of conſcience. Echard, III. p. 314.

For this purpoſe, the 19th of February the commons preſented an addreſs to the king, in which they told him—— "That having taken into conſideration his declaration for "indulgence to diſſenters, they found themſelves bound in "duty to inform his majeſty, That penal laws in matters "eccleſiaſtical cannot be ſuſpended but by act of parliament; "they therefore moſt humbly beſought his majeſty, to give "ſuch directions, that no apprehenſions or jealouſies, might "remain in the hearts of his faithful ſubjects." To this addreſs the king ſent the following anſwer. "That he is "very much troubled, that the declaration which he put out "for ends ſo neceſſary to the quiet of this kingdom, eſpe"cially in that conjuncture, ſhould prove the cauſe of diſ"quiet, and give occaſion to the queſtioning of his power "in eccleſiaſticks, which he finds not done in the reigns of "any of his anceſtors. That he never had thoughts of "uſing it otherwiſe than as it hath been intruſted in him to "the peace and eſtabliſhment of the church of England, "and the eaſe of all his ſubjects in general: neither doth he "pretend to ſuſpend any laws wherein the properties, rights, "or liberties of any of his ſubjects are concerned, nor to "alter any thing in the eſtabliſhed doctrine or diſcipline of "the church of England: but his only deſign in this was, "to take off the penalties inflicted by ſtatutes upon the diſ"ſenters, and which he believed, when well conſidered of, "they themſelves would not wiſh executed according to the "rigour of the laws: neither hath he done this with any "thought of avoiding, or precluding the advice of his parli"ament; and if any bill ſhall be offered to him, which ſhall "appear more proper to attain the aforeſaid ends, and ſecure "the peace of the church and kingdom, when tendered in "due manner to him, He will ſhew how readily he will "concur in all ways that ſhall appear for the good of the "kingdom."

The king's anſwer. Feb. 23.

A ſecond addreſs from the commons. Feb. 26.

The commons eaſily perceived, the king was not inclined to deſiſt from his declaration. Wherefore, three days after, they preſented another addreſs, in which, "They thanked "him

" him for his gracious aſſurance and promiſes of maintaining 1672-3.
" the religion eſtabliſhed, and the liberties and properties
" of the people: and they did not in the leaſt doubt, but
" that his majeſty had the ſame gracious intentions in giving
" ſatisfaction to his ſubjects, by his anſwer to their laſt pe-
" tition and addreſs: but that they found, that the ſaid an-
" ſwer was not ſufficient to clear the apprehenſions that might
" juſtly remain in the minds of his people, by his majeſty's
" having claimed a power to ſuſpend penal laws in matters
" eccleſiaſtical, and which his majeſty did ſtill ſeem to aſ-
" ſert, in the ſaid anſwer, to be entitled in the crown, and
" never queſtioned in any of the reigns of his anceſtors:
" wherein they humbly conceived his majeſty had been much
" miſinformed, ſince no ſuch power had ever been claimed
" or exerciſed by any of his majeſty's predeceſſors. And
" if it ſhould be admitted, might tend to the interrupting
" the free courſe of the laws, and altering the legiſlative
" power, which had always been acknowledged to reſide in
" his majeſty, and in his two houſes of parliament. They
" therefore with an unanimous conſent became humble ſui-
" tors to his majeſty, that he would be pleaſed to give them
" a full and ſatisfactory anſwer to their ſaid petition and ad-
" dreſs, and that his majeſty would take ſuch effectual or-
" der, that the proceedings in this matter, might not for the
" future be drawn into conſequence or example." The king's anſwer to this addreſs was, " It is of conſequence, and I will
" take it into conſideration." The king's anſwer.

At the time, theſe addreſſes were preparing, ſir Job Charleton, ſpeaker of the houſe of commons being taken ill, humbly prayed his majeſty, that he might be eaſed of the burden he was not able longer to ſuſtain. Edward Seymour, ſo famous in the reign of William III. was, by the court's recommendation, choſen in his room. Mr. Seymour choſen ſpeaker of the commons. Kennet, p. 318.

The king and the cabal were extremely miſtaken in imagining, that the declaration for liberty of conſcience, would gain the preſbyterians, in return for ſo great a favour. The leaders of the preſbyterians were too wiſe to be taken in ſo palpable and dangerous a ſnare. It was eaſy for them to ſee, they were only deſigned for inſtruments to advance the intereſts of the Romiſh religion. When they reflected, that this favour was received from the king, the duke of York, and the members of the cabal, they could not believe, it flowed from a principle of religion or humanity. They ſaw beſides ſo many extraordinary proceedings, ſo many invaſions upon the rights of the people; the papiſts indulged in The preſbyterians upon their guard. Kennet, p. 318.

1672-3. their religion; the king making exorbitant demands upon his parliament; an army incamped at the very gates of London [u] in the midſt of winter; a war begun to deſtroy the only proteſtant ſtate capable of ſupporting religion; and papiſts in the principal poſts; all this ſufficiently demonſtrated, that the ſuſpenſion of the penal laws was not for their ſake. So, inſtead of thanking the king for this pretended favour, alderman Love, a city member, and an eminent diſſenter, ſpoke with the greateſt warmth againſt the declaration [w]. This declaration for liberty of conſcience, wrought a great change in the houſe of commons. For that houſe, which had been ſo fiercely animated againſt the preſbyterians, ſeeing them ſacrifice their own, to the intereſts of religion and the kingdom, ordered a bill to be brought in for their eaſe; a bill by which all the penalties againſt them in the act of uniformity were removed, and nothing required but the taking the oaths of allegiance and ſupremacy. This bill was read the firſt time on the 27th of February, and in a few days was completed. But the lords having made ſome amendments, the king prorogued the parliament before theſe amendments could be agreed to by the commons.

Echard, III. p. 316. Burnet.

A bill prepared by the commons in favour of the preſbyterians.

A reflection upon the conduct of the commons.

This bill, which was readily paſſed by the commons, ſufficiently ſhowed their diſtruſt of the court with regard to the declaration for liberty of conſcience, ſince by it all pretence was taken away of confounding the preſbyterians with the other nonconformiſts. So long as the commons had not ſuſpected the king's intention to favour the papiſts, they had affected to rank all the diſſenters in one claſs, in order to include the preſbyterians in the ſtatutes made againſt the nonconformiſts in general. But when the king was perceived to uſe this confuſion to favour the papiſts, the commons were willing to own, the ſeveral ſects ought to be diſtinguiſhed, and rather than abandon religion to the intrigues and artifices of the court and the papiſts, reſolved to eaſe the preſbyterians. In this, they diſcovered a true zeal for the proteſtant religion in general, knowing, it was not ſo dangerouſly attacked by the preſbyterians, as by the papiſts. But it was not on this occaſion only that they ſhowed their attachment to the proteſtant religion. At the very time they were preparing the bill for the eaſe of the preſbyte-

Echard, III. p. 317.

[u] On Black-heath; raiſed without advice of parliament, and under many papiſh officers. Kennet, p. 318.

[w] He declared, he had much rather ſtill go without their deſired liberty, than have it in a way that would prove ſo detrimental to the nation. Ibid.

rians,

rians, another was brought in to enjoin frequent catechi- 1672-3.
ſing in the parochial churches [x] for the inſtruction of youth, intimating thereby, how neceſſary this precaution was thought in the preſent juncture. But this bill, as well as the other, was rendered abortive by the prorogation of the parliament [y]. Burnet.

There is no plainer indication, of what the parliament thought of the deſigns of the court in favour of the papiſts, than the addreſs preſented by both houſes to the king about the ſame time. This addreſs contained, firſt complaints on the growth of popery; on the great reſort of Romiſh prieſts and jeſuits in the kingdom; on the admiſſion of ſo many recuſants into places of truſt, and particularly in the army. After this, the two houſes deſired, "1. That his majeſty would be pleaſed to iſſue out his "royal proclamation, to command all prieſts and jeſuits "(with exception of thoſe in attendance upon the queen, "not being natural born ſubjects) to depart within thirty "days out of the kingdom: and that his majeſty would "be pleaſed, in the ſame proclamation, to command all "judges and other officers, to put the laws in execution "againſt all ſuch prieſts and jeſuits, as ſhould be found in "the kingdom after that time. 2. That his majeſty "would be pleaſed likewiſe to iſſue out commiſſions, to "tender the oaths of allegiance and ſupremacy to all of"ficers and ſoldiers now in his ſervice and pay, and that "ſuch as refuſed the ſaid oaths, might be immediately diſ"banded. 3. That the commiſſaries of the muſters be "commanded and enjoined by his majeſty's warrant, up"on the penalty of loſing their places, not to permit any "officer to be muſtered in the ſervice and pay of his ma"jeſty, until he hath taken the oaths of allegiance and ſu"premacy, and received the ſacrament of the lord's ſup"per, according to the uſage of the church of England; "and that every ſoldier ſhould take the ſaid oaths before "his firſt muſter, and receive the ſacrament in like man"ner, before his ſecond muſter." Upon this addreſs, the king publiſhed a proclamation in the uſual ſtile, the ſeventh of that kind, by which (after a declaration, that as he had always adhered to the church of England, againſt all temptations whatſoever, ſo he was reſolved to maintain and defend it) he ſtrictly commanded all jeſuits and Romiſh prieſts Addreſs from the parliament againſt the papiſts. Echard, III. p. 317. A proclamation upon it. Id. p. 418.

x Every Sunday in the afternoon. Echard, tom. III. p. 317.

y It was ſtopped in the houſe of lords, ſays R. Coke, tom. II. p. 180.

1672-3. to depart the kingdom, and the laws to be put in due execution, againſt all popiſh recuſants, or juſtly ſuſpected to be ſo, &c. This proclamation was not ſatisfactory to the commons, becauſe it extended but to one ſingle article of their petition, without any mention of the removal of papiſts from places of truſt. Wherefore, they proceeded to a new bill, in order to obtain their end, being reſolved nor to finiſh the money bill, till they had procured a redreſs of their grievances, and particularly a revocation of the declaration for liberty of conſcience.

The commons enter upon new meaſures.

The king in great difficulties. Echard.

The king was never ſo perplexed ſince his reſtoration. The cabal had promiſed to make him abſolute, but, after all, ſuggeſted no other means than the uſing of force, at all hazards. He had hoped to attain his aim by degrees, in gaining now one point, then another, and to ſee himſelf at laſt able to trample on all his oppoſers. He had moreover relied on the aſſiſtance of France, after the commonwealth of Holland ſhould be deſtroyed. But he had preposterouſly imagined, he ſhould have time to form all his meaſures, and be able to ſupport his deſign, whenever it ſhould be oppoſed. Perhaps too, he had depended upon the condeſcenſion of the parliament, which had always been ſo favourable to him. But as the commons were proceeding, the time was come, that the king muſt either give way, or break with the parliament. In this laſt caſe, he had too much ſenſe to believe, that a handful of papiſts, with a few flattering courtiers and miniſters, were able to ſupport him, at a time when he could expect no aſſiſtance from France, and when the malecontents might be countenanced by a Dutch fleet. Beſides, his exchequer was empty; and therefore he muſt have reſolved to raiſe money on his ſubjects by means of his army: for he knew, if he had not wherewith to content his adherents, he would hardly engage them to betray the intereſts of their country. But this army was proteſtant, excepting a few popiſh officers and ſoldiers. The officers of the fleet, and the ſailors, were alſo proteſtants. It was therefore unnatural to expect to engage ſuch a fleet and army in his deſigns, ſo contrary to their religion and liberties. Laſtly, he conſidered, that theſe very miniſters and courtiers, who appeared ſo devoted to his ſervice, would deſert him, as it happened to the king his father, when he ſhould be no longer able to protect them. In a word, it was too ſoon to begin the execution of a project of this nature, for which he was unprepared, and yet, by the parliament's laſt addreſs, he was obliged either

either to execute or relinquish it. His honour seemed engaged to support the declaration for liberty of conscience, for he had told the parliament, that he would adhere to it, and his inclination led him to favour the papists, whose religion he had secretly embraced. He found himself moreover obliged, not to abandon to the resentment of the parliament, ministers, who, in giving him their advice, had depended upon his protection. But honour was not capable to ballance the difficulties which he foresaw, if he persisted in his enterprise. On the other hand, his council was divided. The duke of Ormond, and the earl of Arlington advised him to wait a more favourable opportunity; but the duke of York, and the rest of the cabal, were for his throwing off the mask, and supporting his declaration. They represented, that his father's ruin was owing to his condescending to the first demands of the parliament of 1640; and said, they saw no less cause to fear now; for should the declaration be recalled, other demands would be set up, which would never end, till they were carried so high, that the king would not be able to grant them, without undoing himself: and that after a thousand condescensions, he would be at last forced to break with the parliament, and all the fruit he should reap from his compliance, would be to make them the bolder. They farther added, that his holding his resolution a few days would bring the parliament to reason, his majesty having a party among them which began to make the leaders waver; and that there were forces sufficient on foot to support the one side, and intimidate the other. It is pretended, the earl of Shaftsbury undertook to answer for the success. All this was very capable to hold the king in suspence. It is believed, the ladies engaged in this affair, and fearing that a rupture would deprive them of the king's bounties, strongly sollicited him to recall his declaration. However that be, the king, after some hesitation, called for the declaration, and with his own hands broke the seal.

1672-3.

His council divided. Orleans. Echard.

He recalls his declaration. Burnet, p. 351. Echard.

The 8th of March the king came to the parliament, and after pressing the commons to dispatch the money-bill, said to both houses,—— "If there be any scruple yet remaining with you touching the suspension of the penal "laws, I here faithfully promise you, that what hath "been done in that particular, shall not for the future be "drawn into example and consequence; and as I daily "expect from you a bill for my supply, so I assure you "I shall as willingly receive and pass any other you shall

The king's speech to the parliament. Ibid.

1672-3. "offer me, that may tend to the giving you ſatisfaction "in all your juſt grievances.

Is thanked for it by both houſes.

This ſpeech was ſo agrecable to the parliament, that both houſes went into a body and thanked the king for ſo full and ſatisfactory an anſwer.

The cabal very much diſpleaſed with the king.

But if the two houſes were pleaſed, the cabal was not ſo. They had formed a project, and prepared a ſcheme to render the king abſolute. Nay, they had taken ſome ſteps towards the execution. This ſcheme had never been formed, had it not been ſuppoſed, the king would have the courage and reſolution to withſtand the complaints of the parliament: for the projectors could never think, the parliament would ſuffer the liberties of the people to be invaded without oppoſition. All their hope therefore was founded upon the king's ſteddineſs. They were to engage in a conteſt, in which they flattered themſelves to render the king victorious. But they ſaw, to their great aſtoniſhment, the king was retreating, when he ſhould have prepared for battle, and conſequently the hope of victory were entirely vaniſhed. But this was not all they had to fear; they were in danger of being abandoned by the king, after this firſt ſtep, to the reſentment of the two houſes; for how could they hope for the protection of the king, who had juſt given ſuch manifeſt marks of his own fear?

Shaftſbury turns to the country party. Burnet. Echard.

The earl of Arlington, as I have obſerved, had in ſome meaſure, deſerted the cabal, by his advice to the king, to revoke his declaration for liberty of conſcience. The earl of Shaftſbury ſoon followed him, but in a manner more ſurprizing, more publick, and with more remarkable circumſtances. As ſoon as he ſaw, the king had not ſufficient reſolution to execute the great work which was projected, he thought it but juſt to forſake a prince, who had forſaken himſelf, and left his counſellors expoſed to danger. This was the ſecond time the earl had experienced the king's inconſtancy, and want of reſolution. The affair of the declaration was common to him with the reſt of the cabal. But the writs iſſued out of chancery for the election of members to fill the vacancies in parliament, were peculiar to him. He had undertaken to iſſue theſe writs as chancellor, on pretence of ſome precedents which were never known, upon the king's poſitive promiſe to ſtand by him, and yet, he was deſerted by the king, at the firſt inſtance of the commons, or rather before their complaints. This was, however, a thing of very great conſequence. For if the crown could have iſſued writs for filling the vacancies in

parliament,

parliament, it would have been very eaſy for the miniſters to have had ſuch members returned as they pleaſed, as it happened on this firſt occaſion, wherein all thoſe that were choſen were creatures of the court. Father Orleans, who received his information of the Engliſh affairs from king James II. poſitively affirms, as one that could not be miſtaken when he follows ſuch a guide, "That the ancient cuſtom was, on the death of a member, for the chancellor "to iſſue a writ under the great ſeal, for the election of another: and though the writ contained nothing to obſtruct "the freedom of the elections, yet the king might find "means to prevent any member from being choſen, who "was againſt him. That this cuſtom had been changed "during the troubles of the laſt reign, when the commons "aſſumed the power of iſſuing the writs by their ſpeaker, "and that this abuſe had been ſuffered to continue, ſince "the king's reſtoration, through the weakneſs or ignorance "of the chancellors before Shaftſbury." But this is a groundleſs aſſertion, as appears from what the king ſaid himſelf to both houſes, at the beginning of the ſeſſion, "That the "had given order to the lord chancellor to ſend out writs, "for the better ſupply of their houſe, having ſeen prece-"dents for it." Had this been a right inherent in the crown, and firſt invaded by the commons, during the troubles of the laſt reign, would the king have ſaid only, "That he had ſeen ſome prececents for it." This remark is only to ſhew, with what caution the hiſtory of father Orleans, though dictated by king James himſelf, is to be read.

1672-3.

Father Orleans refuted.

The earl of Shaftſbury was therefore more expoſed to the reſentment of the commons, than any other of the cabal, not only for pernicious counſels given the king, in conjunction with his four collegues, the ſecret whereof was not yet known, but chiefly for the writs iſſued by him as chancellor, ſo deſtructive of their rights and privileges. He had therefore reaſon to fear a vigorous proſecution for this fact, and it is certain, the party oppoſite to the court had already projected an accuſation againſt him. On the other hand, the weakneſs he had diſcovered in the king, gave him no hopes of a protection from thence. He believed, therefore, he had no other way to divert the impending ſtorm, than by quitting the king's party, and throwing himſelf into the contrary. "He executed this reſolution, ſays father Orleans, "the day after the king reſolved to revoke his declaration for "liberty of conſcience. It was eleven at night before the "king had taken his laſt reſolution, and the next morn-

The earl of Shaftſbury throws himſelf into the party of the people. Orleans.

1672-3. "ing the earl of Shaftſbury appeared in the houſe of lords, "at the head of the moſt violent party, againſt the catho- "lick religion, the Dutch war, and the union with France." He did more, if father Orleans is to be credited, for in a full houſe he diſcovered the reaſons which had induced the king to grant liberty of conſcience, join with France, and declare war againſt the ſtates. I doubt not his diſcovering this ſecret to his new party, but confeſs, I muſt have better evidence than that of father Orleans, to convince me, that this diſcovery was made publickly in a full houſe, and on this very occaſion, eſpecially, before the king and duke of York, who were that day preſent in the houſe. This would have been a formal accuſation againſt the king, the duke of York, and the other four members of the cabal, of which he could have given no proofs, if they had been demanded. He had too much ſenſe to expoſe himſelf to ſuch a danger. The occaſion of his declaring publickly againſt the king, on the day I am ſpeaking of, was this.

The earl of Shaftsbury declares publickly againſt the king. Tyley. Burnet. Rapin. Richard. III. p. 321.

The lord treaſurer Clifford, ignorant of Shaftſbury's intentions, paid him a viſit the night before, and communicating to him a project for eſtabliſhing a perpetual fund to free the king from his dependence on the parliament, read to him a ſpeech, he had prepared to ſpeak on the morrow concerning this project in the houſe of lords. The earl of Shaftſbury ſeemed highly pleaſed with the ſpeech, and deſired to hear it again. The next day, the king and duke of York coming to the houſe to countenance the project with their preſence, the lord Clifford ſpoke his ſpeech. He had no ſooner done, than the earl of Shaftsbury ſtood up and anſwered his ſpeech from the beginning to the end. He demonſtrated the project to be extravagant and impracticable; that it would overturn the government, and perhaps ſend the king and royal family abroad again, to ſpend their days in exile without hopes of a return. If the treaſurer's ſpeech ſurpriſed the lords who perceived the deſign of it, their aſtoniſhment was increaſed when they ſaw the chancellor, a leading member of the cabal, declare ſo openly againſt the king. It is ſaid the duke of York, whilſt Shaftſbury was ſpeaking, whiſpered the king, "What a "rogue have you of a lord chancellor!" and that the king replied, "What a fool have you of a lord treaſurer!" I know not whether the truth of theſe particulars is to be relied on, ſome of which are improbable. For what likelihood is there, that the king, after breaking the ſeal of his

his declaration with his own hands, for fear of the parliament, ſhould appear, within a few hours after, in the houſe of lords, to ſupport, by his preſence, the treaſurer's project, which tended to the ſubverſion of parliaments? or that he ſhould call the treaſurer fool, for a propoſal which the king could not be ignorant of, and had doubtleſs approved [z]. 1672-3.

However, the earl of Shaftſbury from this time was always in the head of the country party, and cauſed the king to undergo great mortifications, as will hereafter appear. But I muſt give here a very material caution to thoſe who read father Orlean's hiſtory, or ſuch Engliſh or foreign authors as eſpouſe the king's cauſe. All theſe writers paint

Advice to the readers concerning the earl of Shaftſbury.

[z] This buſineſs of Shaftſbury's turning againſt the court is thus related by Burnet. The lord Clifford reſolving to aſſert the declaration for liberty of conſcience, ſhowed the heads he intended to ſpeak on to the king, who approved of them. He began the debate with rough words, calling the vote of the commons, Monſtrum horrendum ingens, and run on in a high ſtrain. When he had done, the earl of Shaftsbury, to the amazement of the whole houſe ſaid, He muſt differ from the lord that ſpoke laſt, toto cœlo. He ſaid, while theſe matters were debated out of doors, he might think with other's that the king's ſupremacy did warrant the declaration: But now, that ſuch a houſe of commons were of another mind, he ſubmitted his reaſons to theirs. They were the king's great council, and muſt both adviſe and ſupport him. The king was all in fury to be thus forſaken by his chancellor, and told the lord Clifford how well he was pleaſed with his ſpeech, and how highly offended with the other. The debate went on, and upon a diviſion the court had the majority. But above thirty of the moſt conſiderable of the houſe proteſted againſt the vote. So the court ſaw they gained nothing in carrying a vote, that drew after it ſuch a proteſtation. It ſeems, Clifford, Buckingham, and Lauderdale, were for violent meaſures, whilſt Arlington and Shaftsbury preſſed the king to content the parliament. Accordingly, in the afternoon of the day that the matter had been argued in the houſe of lords Shaftsbury and Arlington got all thoſe members of the commons, who were in the court party, to give privately to the king one after another, and tell him, that upon Clifford's ſpeech the houſe was in ſuch fury, that probably they would have gone to impeachments, had it not been for Shaftſbury's ſpeaking on the other ſide, who, they believed, ſpoke the king's ſenſe, as the other did the duke's. So they made the king apprehend, the chancellor's ſpeech, with which he was ſo offended, was really a great ſervice done him, and perſuaded him farther, that he might now ſave himſelf, and obtain an indemnity for his miniſters, if he would part with the declaration, and paſs the bill. Whereupon, before night the king was quite changed, and ſaid to his brother, that Clifford had undone himſelf, and ſpoiled all by his ſpeech; and though Shaftſbury had ſpoke like a rogue, yet that had ſtopt a fury, which the other's indiſcretion had kindled. The duke, in the evening, told Clifford what the king ſaid. Upon which Clifford went to the king, and ſaid, he thought, that in what he had done he had both ſerved and pleaſed the king, but was ſurprized to find by the duke, that the king was of another mind. The king, in ſome confuſion, owned, that all he had ſaid was right in itſelf, but he ſhould have conſidered better what the commons could bear. Clifford finding he muſt loſe the white ſtaff, conſulted with Buckingham whom to recommend for treaſurer, and they pitched upon ſir Thomas Oſborn, afterwards duke of Leeds, p. 348, &c.

the

1672-3. the earl of Shaftſbury in very black colours. He was, according to them, the greateſt villain that ever lived; his wickedneſs was anſwerable to the extent of his genius, and the depth of his penetration. He was perpetually contriving how to torment the king and duke of York, or rather to ruin them irrecoverably. He was not only the head but the ſoul, of his party, by which they were actuated. In ſhort, every thing tranſacted afterwards by the parliament againſt the king, is ſolely imputed to him, and it is artfully inſinuated, that, had it not been for ſuch an agent, the nation would have remained in tranquility, and the parliament, content with the king's favourable anſwers, and gracious promiſes, would have been quiet, and attempted nothing againſt the court. Thus, according to theſe writers, all the meaſures and precautions taken afterwards by the parliament againſt the deſigns of the court, were entirely owing to Shaftſbury's malice and revenge. It is eaſy to perceive, that their deſign is to cauſe to vaniſh the grounds of the parliament's fear and complaint of the conduct of the court, by inſinuating, that theſe complaints were frivolous, and the effects of Shaftſbury's vengeance, who, they ſay, directed both houſes of parliament, or rather had them entirely at command. For my part, I am no way concerned to vindicate the earl of Shaftſbury's honour, but believe my ſelf obliged to remark, for the more eaſy diſcovery of the truth, that the project of the cabal to render the king abſolute, and introduce popery, is of unqueſtionable certainty. The authors juſt mentioned, ſcruple not to own it, and ſhould they deny it, the thing would not be leſs true. Conſequently the parliament coming to a full and exact knowledge of this deſign, which was only ſuſpected before, had all the reaſon in the world for their fear and caution againſt the king and his miniſters. This being granted, let the earl of Shaftſbury have been a villain, or an honeſt man; let him have betrayed the king's ſecrets, and acted only through a ſpirit of revenge; let his fear of the parliament be the ſole motive of his engaging in the country party againſt the king; or let him have acted from a principle of honour and duty, in order to ſave the church and ſtate, the thing itſelf remains the ſame. The good or bad qualities of the earl of Shaftſbury did not cauſe the parliament to have more or leſs reaſon to fear the deſigns of the king and his miniſters. If they were prejudicial to religion and the ſtate, as cannot be denied, the parliament had reaſon to take the beſt meaſures to prevent them. Why therefore are

theſe

theſe meaſures, theſe precautions, aſcribed to Shaftſbury's malice and artifices, ſince there was another and more natural cauſe. Before the earl of Shaftſbury appeared in the party contrary to the court, the parliament had begun to take theſe precautions, though the court's deſigns were yet but ſuſpected: they were better informed by the earl of Shaftſbury; why therefore is it ſuppoſed, that after this information, they ſuddenly relinquiſh their former motives, and act only with a view to ſerve as inſtruments of Shaftsbury's revenge? this is not even probable, and yet the authors abovementioned loſe no opportunity of reproaching the earl of Shaftſbury, and aſcribing ſolely to him all the mortifications, the king afterwards received. Beſides the reader's inſtruction, my deſign, in what I have ſaid, is to hinder ſuch as have read, or ſhall read the other hiſtorians, from thinking it ſtrange that I do not every moment exclaim againſt the earl of Shaftſbury's conduct, as if he were the ſole author of what was done againſt the king; and that I content my ſelf with ſaying in a word, this lord uſed all his intereſt and credit to break the meaſures of the king and his miniſters. 1672-3.

Immediately after this change in the earl of Shaftſbury, the commons paſſed a bill, afterwards called the teſt act, entituled, "An act for preventing the dangers which may "happen from popiſh recuſants." This act required that all perſons enjoying any office or place of truſt and profit, ſhould take the oaths of allegiance and ſupremacy in publick and open court, and ſhould alſo receive the ſacrament in ſome pariſh church, immediately after divine ſervice; and deliver a certificate ſigned by the miniſters and church-wardens, atteſted by the oaths of two credible witneſſes, and put upon record: and that all perſons taking the ſaid oaths of allegiance and ſupremacy ſhould likewiſe make and ſubſcribe this following declaration.——"I do declare, "that I do believe, that there is not any tranſubſtantiation "in the ſacrament of the lord's ſupper, or in the elements "of bread and wine, at or after the conſecration thereof, "by any perſon whatſoever."——This bill readily paſſed the houſe of commons, and after ſome difficulties, was alſo approved by the lords[a]. The earl of Briſtol, though a papiſt, made a ſpeech of this occaſion, and concluded with

The teſt act paſſes the commons. Statute b. 25 Car. II. c. 2. Echard, III. p. 321, 326. Kennet. Burnet.

March 15. Echard.

[a] This bill was particularly promoted, if not invented by the earl of Shaftſbury, who reſolved to ſtrike directly at the duke of York and his friends. Echard, t. III. p. 321.

ſaying,

1672-3. ſaying, "Upon the whole matter, however the ſentiments "of a catholick of the church of Rome, (not of the court "of Rome) may oblige me, upon ſcruple of conſcience, "to give my negative to this bill, yet as a member of a "proteſtant parliament, my advice prudentially cannot "but go along with the main ſcope of it, the preſent cir-"cumſtances of time, and affairs conſidered, and the ne-"ceſſity of compoſing the diſturbed minds of the people."

Another bill to prevent the duke of York's marrying with a popiſh princeſs. Echard, III. p. 323.

Beſides this bill there was another preparing to prevent intermarriages between proteſtants and papiſts. This tended directly to break the preſent negotiation of the duke of York's marriage with an archduchefs of Inſpruch [b], and to hinder him from marrying any other catholick princeſs. The king, in the mean while, was very uneaſy, as he ſaw, the parliament was informed of his ſecret reſolutions, and effectual meaſures were taken to prevent their execution. Wherefore he quickened the commons by ſeveral meſſages, to finiſh the money bill. But, inſtead of ſatisfying him, the commons, having provided for the ſecurity of religion, preſented him two addreſſes of grievances, one concerning England, the other Ireland. In the firſt, they told the king, that they were firmly perſuaded of his intention to govern according to the laws and cuſtoms of the kingdom. Yet finding that ſome abuſes and grievances were crept into the government, they craved leave humbly to repreſent them to his majeſty's knowledge, and to deſire,

Two petitions relating to grievances. Ibid.

"1. That the impoſition of twelve pence per chaldron "upon coals, for providing of convoys, by virtue of an "order of council dated the 15th of May 1672, may "be recalled, and all bonds, taken by virtue thereof can-"celled.

"2. That his majeſty's proclamation of the 4th of De-"cember 1672, for preventing diſorders which may be "committed by ſoldiers, and whereby the ſoldiers now in "his majeſty's ſervice are in a manner exempted from the "ordinary courſe of juſtice, may likewiſe be recalled.

[b] The articles of that marriage were concluded in October 1672; and, as the earl of Arlington ſent word to ſir William Godolphin, "upon terms "ſomewhat incongruous as to our "government here, but in ſubſtance "much to his majeſty's and royal "highneſs's ſatisfaction." Arlington's letters, tom. II. p. 391. But though the princeſs of Inſpruch's religion pleaſed the French king, yet the intereſt this marriage would bring with it, did not; ſo that he propounded the princeſs of Modena. R. Coke, p. 160. The duke had, before this, made his addreſſes to the lady Ballaſis, who was a proteſtant. Burnet, p. 353.

"3. And

" 3. And whereas great complaints have been made out 1672-3.
" of ſeveral parts of the kingdom, of divers abuſes com-
" mitted in quartering of ſoldiers, that his majeſty would
" be pleaſed to give orders to redreſs thoſe abuſes, and in
" particular, that no ſoldiers be hereafter quartered in any
" private houſes, and that due ſatisfaction may be given to
" the innkeepers and victuallers where the lye, before they
" remove.

" 4. And, ſince the continuance of ſoldiers in this realm,
" will neceſſarily produce many inconveniencies to his ma-
" jeſty's ſubjects, they humbly repreſented it as their peti-
" tion and advice, that when this preſent war is ended, all
" the ſoldiers that have been raiſed ſince the laſt ſeſſion of
" parliament may be diſbanded.

" 5. That his majeſty would likewiſe be pleaſed to conſi-
" der of the irregularities and abuſes in preſſing ſoldiers, and
" give orders for the prevention thereof for the future."

Theſe demands ſhow, how by degrees the court was labouring to introduce an abſolute authority: Firſt, by a light impoſition, by virtue of an order of council, of twelve pence upon every chaldron, or thirty ſix buſhels of coals The tax was inconſiderable, but the conſequence very great. Secondly, the magiſtrates, in aſſuming the power of quartering ſoldiers in private houſes, eaſily found an opportunity to gall and oppreſs their enemies, and ſuch as were not well inclined to the court. Thirdly, in preſſing ſoldiers, the officers had room to commit many acts of injuſtice, by liſting not the moſt proper perſons for the ſervice, but the rich who were able to redeem themſelves with money. Though this practice was much uſed with regard to ſailors, and continues to this day, it had never extended to ſoldiers, or at leaſt but on very extraordinary occaſions.

The petition concerning the Iriſh grievances contained ſe- Echard, veral articles, chiefly relating to religion. In one of theſe III. p. 324. the commons deſired, his majeſty would be pleaſed to diſmiſs out of all command, civil or military, colonel Richard Talbot, who notoriouſly aſſumed the title of agent for the Roman catholicks in Ireland, and forbid him all acceſs to his court. This Talbot was afterwards created duke of Tyrconnel, and lord lieutenant of Ireland by James II. [c].

[c] February 26. 1671, the king had iſſued out a proclamation in Ireland, whereby he granted a general licence to all papiſts to live in corporations, exerciſe trades there, and enjoy the ſame privileges as other ſubjects ought to do; which was a greater privilege than his proteſtant ſubjects had, for by their charter, all who were not free of the corporations could not have the benefit of their privileges. R. Coke, p. 160.

The

1672-3. The king replied to these addresses, that as they consisted of so many different parts, it could not be expected he should give a present answer. But promised, that for the several particular things contained in them, he would before the next meeting take such effectual care, that no man should have reason to complain. After this the money bill passed without opposition. But, not to approve expressly the war for which the money was intended, the bill was intitled, "A "supply of his majesty's extraordinary occasions, [d]" and a particular proviso was tacked to it, "That no papist should "be capable of holding any publick employment."

The king's answer. Id. p. 145.

Money bill passed.

1673. Before the bill in favour of the protestant dissenters and some others were ready, the king came to the parliament the 29th of March, and passed several acts, amongst which were the money bill, the test act, and an act for a general and free pardon, but with many exceptions [e]. Then he adjourned the parliament to the 20th of October. If the king in his declaration for liberty of conscience had intended the ease of the protestant nonconformists, as he would have had it believed, he might have deferred the adjournment of the parliament a few days, till the bill passed in their favour was ready, or at least might have pressed the two houses to finish it. But as the papists were excluded from the benefit of this act, he showed no farther concern for the interest of the presbyterians, but adjourned the parliament before the lords had given their consent to the bill.

Acts passed. Statute b.

The parliament adjourned. Echard.

The bill in favour of the presbyterians postponed.

The test act having received the royal assent, most of the catholick officers quitted their places. The duke of York himself, who was the lord high admiral, resigned that profitable office [f], and the lord Clifford that of high treasurer. He retired to his paternal estate at Chudleigh in Devonshire, where he died shortly after.

The duke of York and lord Clifford resign their places, Burnet. Lord Clifford dies. Echard. Rapin.

While these things passed in the parliament, preparations for the sea war were making in England and Holland with equal ardour and vast expence. The duke of York having resigned his office of lord high admiral, prince Rupert was appointed to command the fleet. Ruyter having secret intelligence, that the English fleet would not be ready so soon, put to sea with forty two men of war, and sixteen vessels to be

Prince Rupert commander of the English fleet; Kennet, p. 323. Echard, III. p. 327. J. Philips.

[d] The sum granted was twelve hundred thirty eight thousand, seven hundred and fifty pounds. Statutes 25 Car. II. c. 1.

[e] There was also an act passed, to enable the county palatine of Durham, to send knights and burgesses to serve in parliament. Statute 25 Car. II.

[f] Burnet says, when the duke carried all his commissions to the king, he wept as he delivered them up, but the king shewed no concern at all, p. 352.

sunk

ſunk in the Thames [g]. He came into the mouth of the river the 2d of May, where he found he had been miſinformed, and that forty five large ſhips were coming to attack him. Upon this diſappointment, he retired to expect the reſt of his fleet at Schonevelt in Zealand. In this interval, prince Rupert ſailed to meet the French fleet coming from Breſt, and joined them in the channel the 16th of May. After the junction, the combined fleet conſiſted of one hundred and forty ſail of all ſorts, of which there were thirty large French ſhips [h]. The Dutch fleet had but a hundred and nine ſail, namely, fifty four large ſhips, fourteen frigates, twenty four fireſhips, eleven advice boats, and ſix galliots [i]. As I am not ſufficiently verſed in marine affairs to give clear ideas of ſea engagements, I ſhall only ſay, that this year was ſignalized by three naval engagements, fought with ſuch equal loſs, that neither could juſtly boaſt of victory, though both challenged it in every battle. The firſt was fought near Schonevelt the 28th of May. The ſecond off Fluſhing the 4th of June, but this was rather a cannonading of about four hours, after which, both ſides retired to their reſpective coaſts. The third, fought the 11th of Auguſt, was the moſt obſtinate. The Engliſh loſt vice-admiral Spragg, who was drowned in changing his ſhip [k], and the Dutch, vice-admiral Sweers. The loſs of the great ſhips in theſe three engagements was inconſiderable, but on both ſides many leſſer ones were either burnt or ſunk. In a word, nothing deciſive happened at ſea this campaign, and therefore I need not be more circumſtantial [l].

1673.

joins the French.

Baſnage.

Three engagements at ſea diſtinguiſhed with no conſiderable advantage to either ſide. Burchett. Baſnage. Echard. Kennet.

As to what paſſed at land between France and the ſtates, I ſhall only ſay, that the king of France took Maeſtricht in June, and the prince of Orange, Naerden, a town near Amſterdam, in September, and afterwards Bonn, the reſi-

Succeſſes of Lewis and the prince of Orange. Baſnage. Burnet.

[g] In order to ſtop the Canary, Bourdeaux, and Newcaſtle fleets from coming in. Kennet, p. 323.

[h] The white ſquadron was commanded by count d'Etrées, and the blue by ſir Edward Spragg. Burchett, p. 403.

[i] Baſnage ſays, it conſiſted of fifty men of war, twelve frigates, fourteen yachts, and twenty five fire ſhips. Tom. II. p. 412.

[k] He was forced to remove out of his ſhip into the St. George, but this ſoon after loſing her mainmaſt, he was obliged to leave her; and as he was going on board the Royal Charles, his barge was ſunk with a cannon ſhot. In this laſt engagement, ſir William Reeves and captain Heymen were alſo loſt; and likewiſe captain le Neve, and captain Merryweather, both foot officers. Burchett, p. 404. Echard.

[l] This year ſir Tobias Bridges took the iſland of Tabago in the Weſt Indies from the Dutch; who, by way of repriſals, took the iſland of St. Helena, but it was ſoon after recovered by captain Richard Munden. Burchett, p. 404.

1673. dence of the elector of Cologne, in October. These two conquests, and the necessity the king of France was under to maintain the war against Spain (which had at last declared against him, besides that the emperor, and several German princes, were also upon the point of declaring for the states) obliged him to abandon all his conquests in the United Provinces, except Maestricht and Grave, where he left garrisons, after having drawn out all the rest in November.

Lewis abandons his conquests.

In the mean time, a congress was held at Cologne for peace, but with no success.

Congress at Cologne for peace comes to nothing.

The 19th of June the king, at Buckingham's recommendation, made sir Thomas Osborn, afterwards earl of Danby, lord treasurer.

Sir Thomas Osborne constituted lord high treasurer.

The duke of York, as I have said, had cast his eyes upon an archduchess of Inspruch, a branch of the house of Austria. But the empress dying at that time, the emperor married this princess himself. The duke was therefore obliged to make his addresses elsewhere, and as his zeal for the popish religion allowed him not to marry a protestant princess, he made choice of Maria d'Este, sister to Francis duke of Modena, and the marriage was immediately concluded and solemnized by his proxy Henry Mordaunt earl of Peterborough. The king of France greatly contributed to the marriage, by declaring the young princess, then but fifteen years of age, an adoptive daughter of France, and by engaging to pay her portion.

The duke of York marries the princess of Modena. Echard.

As the duke's marriage with a catholick princess could not but be very disagreeable to the English, the court easily foresaw, that the parliament, which was to meet the 20th of October, would endeavour to oppose it. There were several bills ready, which could be finished in a few days; and as the parliament was only adjourned, the court feared they would begin with compleating these bills two of which the court was desirous to put a stop to, namely, the bill against intermarriages between protestants and papists, and that for the ease of the protestant dissenters. Wherefore the king easily resolved to prorogue the parliament. The first thing the commons did, after their meeting, was, to present an address to the king, to desire that the duke's marriage with the princess of Modena might not be consummated, and that he might not be married to any but a protestant. Upon this, the king prorogued the parliament to the 27th of the same month, to defeat the two bills above-mentioned, and some others not more agreeable to him.

The commons address against the duke's marriage. Kennet. Echard. Burnet.

The parliament prorogued.

The

The 27th of October the king coming to the parliament with the usual formalities, made a speech to both houses, in which he told them,—— "That having consented to a negotiation at Cologne, he hoped to have welcomed them "with an honourable peace; but the Dutch had disappointed him in that expectation, and treated his ambassadors at "Cologne with the contempt of conquerors, and not as "might have been expected from men in their condition. "That this obliged him to move them again for a supply, "the safety and honour of the nation necessarily requiring "it; that it must be proportionable to the occasion, and if "he had it not speedily, the mischief would be irreparable "in his preparations for the next spring."——He told them, "That he was steady in maintaining all the professions and "promises made to them concerning religion and property; "and should be very ready to give them fresh instances of "his zeal for preserving the established religion and laws, as "often as any occasion shall require. In the last place, he "commended to their consideration and care, the debt he "owed the goldsmiths, in which very many other of his "good subjects were involved."—— 1673. The king's speech to the parliament. Echard, III. p. 333.

This debt to the goldsmiths was contracted by the king when he shut up the exchequer, and amounted to more than two millions sterling. Thus the king, after a seizure of other mens property, by a pure act of authority, pretended, it belonged to the parliament to make reparation, on account of the application of the money to a war, of which he had not vouchsafed to communicate the design to them. This was the hardest case that had for a long time happened in England. For, on one hand, it was a melancholy thing to see so many families ruined, in support of an expence which ought to have been common to the whole nation. But on the other hand, to pay this debt, was to establish a precedent of a terrible consequence, and authorise the king and his successors to employ the same, or the like methods, for raising of money, without consent of parliament. As for the twelve hundred and sixty thousand pounds granted the king for his extraordinary occasions in the last session, he believed, that sum ought not to be employed in discharging this debt, nor even in maintaining the Dutch war, since a new supply was demanded for that purpose.

After the king had ended his speech, the chancellor enlarged with great eloquence upon all the points touched by the king. But his speech made little impression upon the

1673. commons. They were no ſooner returned to their houſe, but inſtead of voting the king thanks for his ſpeech, they adjourned themſelves to the 30th of the month. The ſame day the king ſent them his anſwer to their addreſs concerning the duke of York's marriage, the ſubſtance of which was,—— "That he perceived the houſe of commons had "wanted a full information of this matter, the marriage "not being barely intended, but compleated, according to "the forms uſed amongſt princes, and by his royal conſent "and authority: nor could he in the leaſt ſuppoſe it diſagreeable to the houſe of commons, his royal highneſs "having been, in the view of the world, for ſeveral "months, engaged in a treaty of marriage with another catholick princeſs, and yet a parliament held during the "time, and not the leaſt exception taken at it." The houſe was by no means pleaſed with this anſwer; and therefore reſolved to preſent a ſecond addreſs, with their reaſons againſt the marriage. The ſame day it was voted, that a bill ſhould be prepared for a general teſt between proteſtants and papiſts, that is to ſay, an oath which ſhould ſerve to diſtinguiſh proteſtants from papiſts, with this clauſe, "That "they who refuſed to take it ſhould be incapable of bearing "any office civil or military, or to ſit in parliament, or to "come within five miles of the court."

The king's anſwer relating to the duke's marriage. Echard, III. p. 335.

A bill for a general teſt. Id. p. 336.

The 31ſt of October the commons took the king's ſpeech into conſideration, and after a ſerious debate in a grand committee, came to the following reſolution, "That the "houſe conſidering the preſent condition of the nation, will "not take into any farther debate, the conſideration of any "aid, or ſupply, or charge upon the ſubject, before the "time of payment of the eighteen months aſſeſſment granted "by a late act of parliament, intitled, An act for raiſing the "ſum of twelve hundred thirty eight thouſand, ſeven hundred and fifty pounds, be expired; except it ſhall appear, "that the obſtinacy of the Dutch ſhall render it neceſſary; "nor before this kingdom be effectually ſecured from popery, and popiſh counſellors, and the other preſent "grievances be redreſſed."

Vote of the commons to grant no more ſupplies to the king. Ibid.

The king, as may well be imagined, was extremely offended with this reſolution, and the more as it was followed by an addreſs for a general faſt, to be obſerved throughout the whole kingdom, which intimated to the people, that the kingdom was in great danger. Two days after, the houſe in a body waited on the king with a ſecond addreſs againſt the duke of York's marriage, in which, after many compliments,

Petition for a general faſt.

pliments, they repreſented to him,—— "1. That if this "match do proceed, it will be a means to diſquiet the "minds of his proteſtant ſubjects at home; and to fill them "with endleſs jealouſies and diſcontents; and will bring "his majeſty into ſuch alliances abroad, as will prove highly "prejudicial, if not deſtructive to the intereſts of the very "proteſtant religion itſelf. 2. They find by ſad experience, "that ſuch marriages had increaſed and encouraged popery "in the kingdom, and had given opportunity to prieſts and "jeſuits, to propagate their opinions, and ſeduce great "numbers of his majeſty's ſubjects. 3. They do already "obſerve, how much the party is animated with the hopes "of this match, which was lately diſcouraged by his ma-"jeſty's gracious conceſſion in the laſt meeting of the par-"liament. 4. They greatly fear this may be an occaſion "to leſſen the affections of the people to his royal highneſs, "who is ſo nearly related to the crown, and whoſe honour "and eſteem they deſire may always be entirely preſerved. "5. That for another age more at leaſt, this kingdom will "be under the continual apprehenſions of the growth of "popery, and the danger of the proteſtant religion. Laſtly, "they conſidered, that this princeſs having ſo near a rela-"tion and kindred to many eminent perſons of the court of "Rome, may give them great opportunities to promote their "deſigns, and carry on their practices here, and by the "ſame means penetrate into his majeſty's moſt ſecret coun-"ſels, and more eaſily diſcover the ſtate of the whole king-"dom. And finding by the opinions of very learned men, "that it is generally admitted, that ſuch treaties and con-"tracts by proxies are diſſolvable, of which there are ſeve-"ral inſtances to be produced, they do in all humility be-"ſeech his majeſty, to put a ſtop to the conſummation of "this intended marriage. And this they do the more im-"portunately deſire, becauſe they have not, as yet, the "happineſs to ſee any iſſue of his majeſty, that might ſuc-"ceed in the government of his kingdom."——To this addreſs the king briefly replied, "That it was a matter he "would take into his preſent conſideration, and would "ſpeedily return an anſwer." After which the commons proceeded farther, and voted the ſtanding army a grievance, and accordingly, prepared an addreſs to be preſented to his majeſty, ſhewing, "That the ſtanding army was a grie-"vance, and a burthen to the nation."

1673. Addreſs againſt the duke of York's marriage, ibid.

Vote againſt a ſtanding army. Echard, III. p. 337.

But the 4th of November, the day on which the commons were to preſent their addreſs, the king came unexpectedly

1673. pectedly to the houſe of peers, and ſent for the commons. It happened that the ſpeaker and the uſher of the black rod met both at the door of the houſe of commons, but, as the ſpeaker was within the houſe, the door was immediately ſhut againſt the uſher, who came with the king's meſſage. The ſpeaker was forced into the chair, and while the uſher continued knocking at the door, the houſe voted, "That "the alliance with France was a grievance. 2. That the "evil counſellors about the king were a grievance. And, "3. That the duke of Lauderdale was a grievance, and not "fit to be truſted or employed in any office or place of "truſt." Upon which there was a general cry, "to the "queſtion, to the queſtion!" But, the black rod knocking earneſtly at the door, the ſpeaker leaped out of the chair; and the houſe roſe in great confuſion. When the commons came to the houſe of lords, the king made a ſhort ſpeech to both houſes, in which he repreſented the great advantages which the enemy would reap from the leaſt appearance of a difference between him and his parliament.—He told them, he would not be wanting to let all his ſubjects ſee, "That "no care ſhould be greater than his own in the effectu-"al ſuppreſſing of popery." He then prorogued the parliament to the 7th day of January following, and thus put an end to the twelfth ſeſſion of this long parliament, which had continued but nine days.

Other votes contrary to the king.

The parliament prorogued.

Sir Heneage Finch ſucceeds Shaftſbury. Kennet. Echard.

Immediately after the prorogation of the parliament, the king took the great ſeal from the earl of Shaftſbury, and gave it to ſir Heneage Finch [m], with the title of lord keeper. Soon after, the king ordered that no perſon who was a Roman catholick, or reputed to be ſo, ſhould preſume to come near his perſon or court. He likewiſe publiſhed a proclamation for the rigorous execution of the laws againſt papiſts. This was the eighth of the kind ſince his reſtoration, and executed as the other ſeven.

Proclamation againſt papiſts. Jan. 14.

Conſummation of the duke's marriage.

But the proclamation was not capable to remove the fears occaſioned by the duke of York's marriage with the princeſs of Modena, which was conſummated the 21ſt of November, on the day of her arrival in England with the ducheſs her mother [n].

1673-4. The parliament meeting the 7th of January, the king repreſented to both houſes,——"That no propoſal of peace

The king's ſpeech to the parliament. Echard.

[m] Nephew of ſir John Finch, lord keeper in king Charles the IIſt's reign. Kenner, p. 324.

[n] They were married at Dover by Nathanael Crew, biſhop of Oxford.—This year died Oliver St. John, ſo often mentioned in the reign of king Charles I.

"from

" from the Dutch had been yet offered with an intent to conclude, but only to amuſe: that therefore, the way to a good peace, was to ſet out a good fleet, which there was time enough to do effectually, if the ſupply was not delayed.——That a ſpeedy, a proportionable, and above all, a chearful aid, was now more neceſſary than ever: he once more put them in mind of his debt to the goldſmiths: and then told them, that his alliance with France had been very ſtrangely miſrepreſented to them, as if there were certain ſecret articles of dangerous conſequence; but he would make no difficulty of letting the treaties, and all the articles of them, without any the leaſt reſerve, be ſeen by a ſmall committee of both houſes, who might report the true ſcope of them." 1673-4.

Speech of the keeper of the great ſeal.

Then the lord keeper enlarged upon all theſe points with exceſſive flattery to the king, for his extraordinary care to maintain the laws and religion, and that this might not be doubted, he alledged for proof, the aſſurances given by the king. Above all, he magnified the king's offer, of letting them ſee the treaties with France, as a condeſcenſion which could not be ſufficiently acknowledged, but by an extraordinary ſupply. In a word, the king's and the keeper's ſpeeches were founded upon this principle, that the war with the ſtates was juſt and neceſſary, and conſequently to be vigorouſly maintained, in order to an honourable peace.

The king in great difficulties.

It does not appear, that the two houſes much regarded the king's offer of laying before them his treaties with France, ſince it was in his power to ſhow them what he pleaſed, and ſuppreſs the reſt. The king perceived therefore, into what difficulties the cabal had thrown him by their violent counſels. He had loſt the confidence of his people, and neither his words nor his promiſes were any longer relied on. It was in vain for him to proteſt his zeal for the proteſtant religion, and the liberties of his ſubjects: theſe proteſtations could not obliterate his paſt proceedings, which gave but too juſt cauſe to ſuſpect his ſincerity. Wherefore, the parliament, without regarding his words, conſidered his actions, and laboured to take effectual meaſures, to prevent the execution of the court's deſigns, which were but too manifeſt. There were many things concerning which they openly expreſſed their fear and diſcontent. 1. The growth of popery publicly encouraged by the court. 2. The exorbitant power of France, which in the end could not but prove prejudicial to England. 3. The Dutch war, undertaken directly contrary to the intereſt of England, and for which

The parliament enraged againſt the court.

The cauſes

1673-4. however the king was inceſſantly demanding ſupplies, on a ſuppoſition of its being juſt and neceſſary, though he had alledged no lawful cauſe for it. 4. The management of affairs in Ireland, where the act of eſtabliſhment was openly trampled upon, and papiſts continually advanced or encouraged. 5. The king's proceedings in England, which were clear evidences of his principles and deſigns; namely, his raiſing a land army without any neceſſity; his granting liberty of conſcience by his ſole authority; his ſhutting up the exchequer; his diſpenſing with acts of parliament; his making a ſtrict alliance with France, when he ſhould rather have uſed his endeavours to oppoſe the increaſe of her greatneſs. 6. The open profeſſion of the popiſh religion by the duke of York, and his marriage with a popiſh princeſs, authoriſed by the king notwithſtanding the remonſtrances of the parliament. 7. The three miniſters, ſtill employed by the king, namely, Arlington, Buckingham, and Lauderdale, all three of the moſt arbitrary principles, plainly ſhowed, it was not for the good of the kingdom, that the king uſed their counſels. Theſe were too real cauſes of complaint, to be ſilenced by the king's general proteſtation on every occaſion to maintain the laws and religion. Something more ſubſtantial than words was neceſſary to diſpel the ſuſpicions and fears of the people and parliament. Wherefore the parliament reſolved to reſtore the government to its natural ſtate. This very parliament which had conſidered as execrable rebels, the oppoſers of Charles I's uſurpations, was obliged to purſue the ſame meaſures againſt the encroachments of Charles II. as were begun with by the parliament of 1640. If this produced not a civil war, it is to be aſcribed to the weakneſs, fears, or, perhaps, to the abilities of the king, who, leſs obſtinate, and more diſcerning than his father, did not think proper to abandon himſelf entirely to the counſels of his miniſters, and particularly of the duke his brother. For, certainly, as the parliament ſtood affected, an extreme confuſion, if not a ſecond and more bloody civil war muſt have been the conſequence of the king's attachment to his principles and deſigns. Nothing is more proper to confirm this conjecture, than the revolution in the reign of James II. That prince, naturally more furious and obſtinate than his brother, reſolving to run all hazards, found the Engliſh, in their turns, as reſolute to venture all in the defence of their laws, religion, and liberty.

The parliament's deſign.

A reflection upon it.

Addreſs of the lords for the removal of papiſts.

In order to proceed according to this plan, the houſe of lords preſented an addreſs to the king, praying him to iſſue out

Kennet.

out his royal proclamation, requiring all papiſts and reputed papiſts to remove out of London and Weſtminſter, during the ſeſſion of the parliament. Accordingly his majeſty without delay publiſhed a proclamation, dated the 14th of January, declaring, "That as he had always manifeſted his "zeal for the preſervation of the true religion eſtabliſhed "in this kingdom, and to hinder the growth and increaſe "of popery, ſo he was now ready, upon this occaſion, to "prevent all fears and dangers that might ariſe by the con-"courſe of perſons of that profeſſion, in or near the cities "of London and Weſtminſter, &c." This pretended zeal had ſhowed itſelf but in eight proclamations, already publiſhed by him at ſeveral times againſt the papiſts, the negligent execution of which is very viſible from the number. When the king's affectation of boaſting continually his zeal for the proteſtant religion and againſt popery is conſidered, and when on the other hand it is remembered, that he had abjured the proteſtant religion, and had a chapel ſecretly in his palace, where he daily heard maſs, and ſometimes even communicated the ſame day at his proteſtant and popiſh chapels, one knows not what to think of ſuch monſtrous diſſimulation. 1673-4.

A proclamation upon it. Ibid. Echard, III. p. 345.

The next day, both houſes joined in an addreſs to the king for a general faſt, to implore God's bleſſing againſt the efforts of popery, &c. Nothing was more offenſive to the king than ſuch addreſſes, which plainly implied, that religion was in danger, and through his fault; but he durſt not refuſe them, and therefore the 4th of February was appointed for a day of humiliation.

Addreſs of both houſes for a faſt. Ibid.

At laſt, the commons taking the king's laſt ſpeech into conſideration, voted, "That the houſe will in the firſt place "proceed to have their grievances effectually redreſſed, the "proteſtant religion, their liberties and properties effectu-"ally ſecured, and to ſuppreſs popery, and remove all per-"ſons and counſellors popiſhly affected, or otherways ob-"noxious or dangerous to the government." Then they preſented an addreſs to the king "——That the militia of "the city of London, and county of Middleſex, might "be in readineſs at an hour's warning, and the militia "of all other counties of England at a day's warning, "for ſuppreſſing of all tumultuous inſurrections which "might be occaſioned by papiſts or any other malecon-"tented perſons." The king anſwered to this addreſs, "That he would take a ſpecial care, as well for the preſerva-"tion of their perſons, as of their liberties and properties."

A mortifying vote to the king. Id. p. 346.

An addreſs.

His anſwer.

1673-4. This addreſs was only to inſinuate to the people, that the kingdom was in danger, and to juſtify beforehand the meaſures intended to be taken by the houſe, againſt thoſe who were conſidered as the principal authors of the danger, I mean, the members of the cabal. By the death of lord Clifford, and the change in the earl of Shaftſbury, this council was reduced to three, namely, the dukes of Buckingham and Lauderdale, and the earl of Arlington. The houſe began with the duke of Lauderdale, and unanimouſly voted, "That an addreſs ſhould be preſented to his majeſty, "to remove the duke of Lauderdale from all his employ-"ments, and from his preſence and councils for ever, being "a perſon ot noxious and dangerous to the government."

Vote againſt the duke of Lauderdale. Ibid. Burnet.

The duke of Buckingham, while the commons were debating upon the heads of his accuſation, requeſted to be heard before their houſe, which was granted. But as his ſpeech, in vindication of himſelf, was full of ambiguities, the houſe referred his examination to the next day, and drew up ſome queries, to which he was required to give diſtinct anſwers. As theſe queſtions follow from what had paſſed, and tend to illuſtrate the hiſtory, I think myſelf obliged to inſert them, without adding his anſwers, the greateſt part of which left things as obſcure as they were before *.

Jan. 13. Burnet.

Queſtions propoſed to the duke of Buckingham. Echard, III. p. 347.

1. Whether any perſons declared to his grace any ill advice or purpoſes againſt the liberties and privileges of the houſe of commons: or to alter the government; who they were, and what they adviſed?

2. Some words fell from your grace yeſterday, wherein you were pleaſed to ſay, you had got nothing, but others had gotten three, four, or five hundred thouſand pounds; who were they that had gotten theſe ſums, and by what means?

His anſwer to this was,———That he was not at all acquainted by what means they got ſo much: that the duke of Ormond had got five hundred thouſand pounds, which was upon record; that lord Arlington had not got ſo much, but had got a great deal.

3. By whoſe advice was the army raiſed, and monſieur Schomberg made general †.

* The firſt day of his being before the houſe, he fell into ſuch diſorder, that he pretended he was taken ill, and deſired to be admitted again. Next day he was more compoſed. He juſtified his own deſigns, laying all the ill counſels upon others, chiefly the lord Arlington, intimating plainly, that the root of all errors was in the king and duke. He ſaid, hunting was a good diverſion, but if a man would hunt with a brace of lobſters, he would have but ill ſport. He had applied this ſaying to prince Rupert and lord Arlington; but now it was underſtood to go higher. Burnet, p. 367.

† This army was to make a deſcent into Holland. See a little lower.

4. By

4. By whoſe advice was this army brought up to awe the debates and reſolutions of the houſe of of commons? 1673-4.

5. Who made the triple alliance?

6. Who made the firſt treaty with France, by which the triple alliance was broken?

He anſwered, I made it.

7. By whoſe advice was the exchequer ſhut up, and the order of payment there broken?

8. Who adviſed the declaration in matters of religion?

9. Who adviſed the attacking the Smyrna fleet before the war was proclaimed [q].

10. By whoſe advice was the ſecond treaty at Utrecht?

11. By what council was the war begun without the parliament, and thereupon the parliament prorogued.

12. By whoſe advice was the parliament prorogued the 4th of November laſt?

I did not think fit to add all the duke's anſwers, becauſe it is not juſt to prejudice the reader againſt thoſe whom the duke of Buckingham accuſed to clear himſelf. But the queſtions are very proper to ſhow, what it was that the commons blamed in the conduct of the king and the cabal. There were ſo little ſatisfied with the duke's anſwers, that they paſſed the ſame vote againſt him as againſt Lauderdale.

The commons, it ſeems, principally intended to ruin the earl of Arlington, ſince, notwithſtanding his defence before the houſe, they drew up an impeachment againſt him, conſiſting of ſeveral articles. But as the impeachment was not purſued, I do not think it juſt to inſert the articles, ſince I cannot alſo inſert what the earl could urge in his defence. I ſhall therefore only ſay, that the impeachment chiefly concerned the open protection, granted by the earl of Arlington as ſecretary to the catholicks; and ſome actions tending to promote arbitrary power, or his own private intereſt [r]. The earl of Arlington impeached. Id. p. 349.

After this, the commons proceeded to prepare a bill for a general teſt, by which every perſon refuſing to take it, ſhould be made incapable to enjoy any office civil or military, to ſit in either houſe of parliament, or to come within five miles of the court. The teſt was in theſe words: A bill for a teſt. Id. p. 350.

[q] He ſaid, it was lord Arlington. See Echard, tom. III. p. 348.

[r] The earl excuſed himſelf, but without blaming the king. This had ſo good an effect, that he was acquitted, though by a ſmall majority. But the care he took to preſerve himſelf, loſt him his high favour with the king. Burnet, p. 366.

1673-4. "I do ſolemnly, from my heart, and in the preſence of
"almighty God profeſs, teſtify and declare, that I do not
The teſt. "believe in my conſcience that the church of Rome is the
"only catholick and univerſal church of Chriſt, out of
"which there is no ſalvation; or that the pope hath any ju-
"riſdiction or ſupremacy over the catholick church in ge-
"neral, or over myſelf in particular; or that it belongs to
"the ſaid church of Rome alone to judge of the true ſenſe
"and interpretation of the holy ſcriptures; or that in the
"holy ſacrament of the euchariſt, there is made a perfect
"change of the whole ſubſtance of the bread into Chriſt's
"body, or of the whole ſubſtance of the wine into Chriſt's
"blood, which change the ſaid church of Rome calleth
"Tranſubſtantiation; or that the virgin Mary, or any other
"ſaint ought to be worſhipped or prayed unto: and all theſe
"aforeſaid doctrines and poſitions I do renounce and diſ-
"claim, as falſe and erroneous, and contrary to God's
"word, and the chriſtian religion." It was not without reaſon that this oath was called the teſt or trial, ſince it was as a touch ſtone to diſtinguiſh the papiſts from the proteſtants, there being no catholick who could in conſcience take this oath. The king had already given his conſent to an act which impoſed much the ſame oath. But that was only for thoſe who were in office or employment, whereas this was univerſal, and might be required of all ſuſpected perſons. But, before the bill was ready, the king prorogued the parliament, and ſo defeated both this, and ſeveral other bills tending to the ſame end.

The ſtates make propoſals to the king for peace. Baſnage, t. II. p. 458. Echard. Burnet.

Since the ſtates general had perceived that the parliament approved not of the war the king was making againſt them, they had never ceaſed to ſollicit the king to a ſeparate peace [a], and had offered him whatever he could reaſonably expect, in ſuppoſing he deſigned the advantage of his kingdom. But as that was not the caſe, it is plain, their offers could not ſatisfy him. To content him, the commonwealth of the ſeven provinces ſhould have been entirely deſtroyed, and the king of France put in poſſeſſion. But as he durſt not openly avow this demand, he pretended to find in the offers of the ſtates, only ambiguous or inſolent propoſitions, and from thence took occaſion to reject them. But

The king begins to fall in his pretenſions.

[a] The ſtates, ſays Burnet, committed a great error in deſiring this peace, without deſiring at the ſame time, that king Charles ſhould enter into the alliance for reducing the French to the terms of the triple alliance. But the prince of Orange thought, that if he could once ſeparate the king from his alliance with France, the other point would ſoon be brought about, p. 366.

affair 9

affairs afterwards took a turn which obliged him to come into other meaſures. The victories he hoped for at ſea with the aſſiſtance of France, came to nothing. If his fleet was not beaten in the four late engagements, at leaſt, it had gained no advantage over that of the ſtates. He had expected to give a mortal wound to the ſtates by a deſcent into Holland, and for that purpoſe had ſent for Schomberg to head his forces. But that general had been unſucceſsful in his expedition, and obliged to return without any thing done. The king of France, as I ſaid, had been forced to abandon his conqueſts in Holland, to defend himſelf againſt the new enemies raiſed him by the ſtates. In ſhort, the parliament diſcovering the ſecret intent of this war, not only refuſed any farther ſupplies, but were preparing to bring the adviſers to juſtice. On the other hand, the king had managed the money granted by parliament, and that of the exchequer, with ſo little oeconomy, that he had not a ſhilling left. His profuſion had been ſo exceſſive, that it appeared, from orders counterſigned by the earl of Arlington ſecretary of ſtate, that he had given away above three millions ſterling, to ſeveral private perſons. In a word, he did not know which way to turn himſelf for the continuance of the war, as he ſaw his parliament little inclined to furniſh the means. All theſe reaſons were very capable to induce him to liſten to the offers made him by the ſtates. He therefore began by degrees, to diſcover, that he ſhould not be averſe to a reaſonable peace, provided the ſtates would have ſuch regard to his honour as he had room to expect. When there was no other difficulty, the ſtates writ him a very ſubmiſſive letter, and at the ſame time ſent full powers to the marquis del Freſno, the Spaniſh ambaſſador at London, to conclude a peace in their name, on the conditions already offered but rejected by the king, on pretence they were only deſigned to amuſe him. Theſe propoſals were ſo reaſonable, and offered in ſo ſolemn a manner, that they could not be rejected without alarming the whole kingdom, and confirming the ſuſpicions, which were but too general, that the war was not deſigned for the advantage of the people. Beſides, the king's affairs required a ſpeedy peace[t]. 1673-4.

The ſtates commiſſion the Spaniſh ambaſſador at London to make a peace in their name. Baſnage. Temple. Echard. Kennet.

[t] Lewis XIV. ſtrenuouſly oppoſed the concluſion of this peace, and offered king Charles five millions and a half, with forty men of war, if he would break the negotiations. Baſnage, tom. II. p. 496.——After the ſigning of the peace, king Charles told the French ambaſſador, that he had been doing a thing which went more againſt his heart, than the loſing of his right hand. Burnet, p. 367.

Preſently

1673-4. Preſently after the receipt of the ſtates letter, the king came to the parliament the 24th of January, and communicated to both houſes the offers from the Dutch, deſiring their advice on the affair. They anſwered, that it was their opinion, his majeſty ſhould proceed in a treaty with the ſtates, in order to a ſpeedy peace. From that time, all difficulties relating to the peace were removed, in the conferences between the marquis del Freſno, and the king's commiſſioners [u], and the treaty was concluded in a fortnight [w].

The king aſks advice of the parliament. Echard, III. p. 351.

Peace concluded.

The commons go on with examining into grievances. Echard.

In this ſhort interval, the commons proceeded to take into conſideration the grievances of the nation. They inſiſted chiefly upon keeping an army compoſed of regular troops, and after a vote that it was a grievance to the kingdom, they reſolved to addreſs the king for diſbanding all forces raiſed ſince the year 1663. The examination of this affair gradually led them to that of the horſe and foot guards, eſtabliſhed by the king without the concurrence or approbation of the parliament. It was found, that they were of vaſt charge to the king and kingdom: that they were a ſtanding army in diſguiſe, which might be eaſily augmented: that guards were only in uſe in arbitrary governments: that they were altogether uſeleſs, as appeared from the king's daily truſting his perſon to his people without a guard.

The king acquaints the parliament with the peace. Kennet. Echard.

The debate was interrupted by the king's coming to the houſe of peers, the 11th of February. The commons being ſent for, the king communicated to both houſes, that he had ſigned the peace with the Dutch. He told them moreover, in anſwer to their addreſs concerning the forces, that he had given orders for diſbanding even more than were deſired, and for ſending back the Iriſh regiments.

He deſires a ſupply.

He added, that he muſt needs acquaint them, that there was a great want of capital ſhips, and he ſhould be glad to be equal in number with his neighbours: he hoped therefore to have their aſſiſtance on ſuch an occaſion, to preſerve the honour and ſafety of the nation. The houſes thanked him for the peace he had made, and for his gracious anſwer to their addreſs.

This however was not capable to induce the commons to ſuſpend their debates upon the grievances. They voted,

[u] They were the lord keeper Finch, the lord treaſurer Oſborn, the dukes of Monmouth and Ormond, the earl of Arlington, and Henry Coventry, Eſq; ſecretaries of ſtate. Collect. of trea. tom. III. p. 276.

[w] It was concluded in three days. See Temple's lett. p. 195.

" that

" that a committee ſhould be appointed to inſpect the laws 1673-4.
" lately made in Scotland, whereby, an army is authoriſed
" to march into England or Ireland, by the ſole direction Grievances relating to Scotland and Ireland.
" of the council of Scotland; and peruſe ſuch other laws
" as tend to the breach of the union of the two nations," Echard.
They likewiſe in a grand committee reſolved, that a committee ſhould be appointed to inſpect the ſtate and condition of Ireland, more eſpecially with regard to religion, the militia, and the forces of that kingdom. They moreover appointed another committee.——" To inſpect the
" law, and to conſider how the king might commit any
" ſubject by his immediate warrant as the laws then ſtood;
" and to report their opinions;" and further, " they were
" to conſider how the law then ſtood touching the com-
" mitting of perſons by the council table, and to report the
" ſame." Upon this occaſion they ordered a particular The Habeas Corpus.
bill to be brought in, concerning writs of Habeas Corpus, which was read three times, and paſſed the houſe. A bill was likewiſe ordered to be brought in for a teſt to be taken by the members of both houſes.

It was a great mortification to the king to ſee the commons ſo rigorouſly examining his conduct; for all their reſolutions, in this ſeſſion, pointed to the former proceedings of the court. It may well be thought, that, as the project of the cabal was to render the king abſolute, and advance the intereſts of popery, the king and his miniſters had not been very ſcrupulous to gain firſt one point, and then another, in order to eſtabliſh precedents, and put the king in poſſeſſion of arbitrary power, in things which were not equally obvious to all. As the commons proceeded, it appeared plainly, they were reſolved not to omit any point. The king, therefore, to defeat their deſigns, made uſe of his conſtant method, and coming to the parliament the 24th of February, prorogued it to the 10th of November following, before any bill was ready for the royal aſſent. Thus ended the 13th ſeſſion of this parliament, after ſitting ſix weeks and three days. The prorogation was afterwards continued, and laſted about fourteen months. The king mortified. Prorogues the parliament. Echard, III. p. 353.

The peace was proclaimed the 28th of February in London, with much greater demonſtrations of joy and ſatisfaction from the people, than the war had been two years before. The ſole difference between this peace and that of Breda was, that the ſhips and veſſels belonging to the ſtates, whether ſingle or in fleets, ſhould ſtrike the flag, The peace is proclaimed. Collect. of treaties. III. p. 277.

and

1673-4. and lower their topſail to thoſe of England [x], whether ſingle or in fleets, provided they carried the king's flag. Moreover the ſtates were to pay the king eight hundred thouſand patacoons at four payments, namely, two hundred thouſand on the exchange of the ratifications, and the reſt at three payments, within the ſpace of three years. Thus the people of England diſcharged the expence of the war, and the king alone reaped the benefit [y].

1674. The king finding himſelf freed from the cares of war, and the uneaſineſſes cauſed by the parliament, abandoned himſelf entirely to a ſoft, indolent, and effeminate life. The duchefs of Orleans his ſiſter had brought him, at their interview at Dover, the daughter of a gentleman of Bretagne, called de Queroualle, who commanded the king's affection beyond any of his miſtreſſes, and was created duchefs of Portſmouth. But this particular fondneſs for her did not prevent his having many others, by whom he had ſeveral children, educated with no ſmall expence. In a word, not to dwell on what paſſed at a court ſo corrupted as that of Charles II. I ſhall only ſay, that the king's miſtreſſes had ingroſſed the whole credit of the court, and that he could refuſe them nothing.

The king abandons himſelf to hispleaſures, Burnet.

Governed by his miſtreſſes.

Charles offers his mediation to Lewis, and is accepted. Temple's mem. Echard, III. p. 457. Burnet.

It does not appear, that France complained much of Charles for deſerting her, in making a ſeparate peace with the Dutch. This cauſed ſeveral politicians to think, that the king of France had given a full conſent to the peace, in order to make Charles mediator between him and his enemies, whoſe number was greatly increaſed, ſince the laſt year. This ſuſpicion is farther confirmed by Charles's offer of his mediation to the king of France, ſoon after his peace with the ſtates, which he readily accepted, without

[x] From cape Finiſterre, to point Van Staten in Norway. Collect. of treat. tom. III. p. 277.

[y] This peace was ſigned at Weſtminſter, Feb. 9. See collect of treat. tom. III. p. 280. ——Burnet ſays, lord Arlington preſſed the Spaniſh miniſter, to prevail with the ſtates, and the prince of Orange, to put a propoſition for a peace to be ſet on foot. And that it might have ſome ſhew of a peace both begged and bought, he propoſed, that a ſum of money ſhould be offered the king by the ſtates, which ſhould be made over by him to the prince, for the payment of the debt he owed him. Rouvigny, the French ambaſſador, preſſed the king much to give his parliament all ſatisfaction in points of religion. The king anſwered him, if it was not for his brother's folly (la ſottiſe de mon frere,) he would get out of all difficulties. In concluſion, the prince of Orance brought the ſtates to make applications to the king, in the ſtyle of thoſe who begged peace, though it was viſible they could have forced it, with the offer of two or three hundred thouſand pounds for the expence of the war, p. 366, 367.

the leaſt reſentment of what had been lately tranſacted. When the king was aſſured that his mediation was accepted by France, he ſent ſir William Temple into Holland to offer the ſame to the ſtates. As their towns and provinces were now recovered, except Maeſtricht, and Grave, they paſſionately wiſhed for peace. The only obſtacle was, the intereſt of their allies, the emperor, the empire, and Spain, who having engaged in the war for their ſake, could not be abandoned without extreme ingratitude. The only way to pleaſe them, was to bring things to a treaty, where they might find their ſatisfaction. So, without being much ſollicited, they accepted the king of England's mediation. It is true, France, and the allies had already accepted that of the king of Sweden, who had uſed his endeavours to procure a peace by his ambaſſadors at the congreſs of Cologne. But ſince that congreſs was broken off by the forcible carrying away of prince William of Furſtemberg [z], the Swede had rendered himſelf ſuſpected to the allies, by diſcovering too much partiality to France. So the ſtates were not diſpleaſed to find another mediator to renew the conferences, though they had no great reaſon to confide in the king of England. But they were deſirous of peace, and ſuch was the ſituation of the affairs of Europe, that another mediator was not eaſy to be found. Wherefore, it was more advantageous to accept him, than to have none at all, and loſe the hope of ending the war. However this be, they ſo ſtrongly ſollicited all the princes their allies, that at laſt they were induced to accept the king of England's mediation. But there was a wide difference between agreeing upon a mediator, and concluding a peace. So many various intereſts to adjuſt, made it eaſy to foreſee, that peace would be a very difficult work, beſides the accidents which the continuation of the war might produce, and which would be too apt to alter the pretenſions of the two parties. For inſtance, whilſt a mediation of peace was talked of at the Hague, a battle was fought at Seneff, which indeed decided nothing, but might have had great conſequences, if victory had entirely declared for one of the

1674.

July. Temple's letters. The ſtates accept it, Baſnage.

Baſnage.

and bring their allies to do the ſame.

Auguſt. Temple Burnet.

[z] He was a prince of the empire, and was employed by Lewis XIV. to ſow diſcord between the princes of Germany. He and his brother were the chief inſtruments in promoting the Dutch war; and were the perſons that perſuaded the archbiſhop of Cologne to let the French forces march through his dioceſe. Baſnage, tom. II. p. 484.

armies,

1674. armies [a]. Moreover the prince of Orange took Grave in October.

King Charles a penſioner of France. Leed's lett. Echard, III. p. 363. p. 364. Kennet, p. 327. Echard.

I cannot forbear taking notice of a thing which became more publick afterwards, and of which I ſhall have occaſion to ſpeak more amply, namely, that, at the very time Charles performed the office of a mediator, he received from France an annual penſion of one hundred thouſand pounds ſterling. By this we may judge of his impartiality. Moreover it appears in Coleman's letters, the duke of York's ſecretary [b], ſome of which were writ this year, that there was a cloſe union between the king of France and the duke of York, and that the latter entirely relied on the aſſiſtance of France for the execution of the project formed in favour of the Engliſh papiſts. This manifeſtly ſhews, that Charles had not deſiſted from his firſt deſigns, and only waited a favourable opportunity to execute them, when France, diſcharged from the burden of the preſent war, ſhould be in a condition to grant him the neceſſary aſſiſtance.

The king refuſes to diſſolve the parliament. Echard.

During theſe tranſactions, the papiſts of England were labouring to prevail with the king to diſſolve a parliament which was ſo oppoſite to them; this appears alſo in Coleman's letters. But the king did not think proper to take ſuch a ſtep ſo ſoon, which might have done him great prejudice, by exaſperating the people, and from which he could reap no other advantage, than to procure ſome eaſe for the papiſts. But this was not his principal view. For though he was a diſguiſed papiſt, he had ſo little zeal for religion, that he was by no means inclined to hazard his temporal intereſts, in complaiſance to the papiſts. He publiſhed therefore, on the contrary, a proclamation, to ſtifle the falſe report that the parliament would quickly be diſſolved, and to ſatisfy the people that the thing had never come under deliberation.

May. Echard, III. p. 364.

Preferments and removals at court. Kennet, p. 329.

To finiſh the events of this year 1674, I ſhall only take notice of ſome particulars which may be of uſe for the ſequel. In September, the earl of Arlington was made lord chamberlain of the king's houſhold, and ſir Joſeph Williamſon, who had been plenipotentiary at the congreſs of

[a] The prince of Orange, though but twenty three years old, ſlightly ſignalized himſelf in this battle. Temple's mem. p. 337.

[b] He was ſecretary to the dutcheſs. He was a clergyman's ſon, but was early catched by the Jeſuits, and bred among them. He was a bold man, had a great eaſineſs in writing in ſeveral languages, and writ many long letters, being the chief correſpondent the party had in England. He underſtood the art of managing controverſies, particularly that of the authority of the church. Burnet, p. 368.

Cologne,

Cologne, was made ſecretary in in his room. On the other hand the duke of Buckingham, who had been the king's principal favourite, loſt his favour and credit to ſuch a degree, that the king, without any ceremony, gave him a publick affront, in declaring his office of chancellor of Cambridge vacant, and in influencing the election in favour of his natural ſon the duke of Monmouth. 1674.

The earl of Clarendon died this year at Roan in the 67th year of his age, after a ſeven years exile; during which he digeſted the memoirs he had collected to compoſe his hiſtory of the rebellion and civil wars of England. The famous John Milton, author of the poem called Paradiſe loſt, died alſo this year [c]. Deaths of the earl of Clarendon, and the poet Milton.

Of the five members of the cabal, only the earl of Arlington, and the duke of Lauderdale remained about the king. The firſt finding himſelf in a very diſagreeable ſituation, ſince the parliament had ſo openly declared againſt him, believed, he had no other way to ſupport himſelf, than by taking, or pretending to take meaſures oppoſite to thoſe of which the cabal was accuſed. Accordingly he was the firſt who adviſed the king to call in his declaration for liberty of conſcience, and when he ſaw the parliament acting with ſuch vigour to break the meaſures of the court, he affected an extraordinary zeal for the proteſtant religion. He was conſtant at ſermons and ſacraments, and carried his diſſimulation ſo far, as to perſecute the papiſts, whom he had till now protected. Some even ſay, he adviſed the king to remove the duke of York from his court. But if, by theſe proceedings, he gained any favour with the people, he loſt more with the king and duke, who no longer confided in him as before. The king had particularly ſhewn, he was diſpleaſed with him, by giving the treaſurer's ſtaff to ſir Thomas Oſborne, afterwards earl of Danby, which had ever been Arlington's ambition. This rendered the two earls mortal enemies to each other, and cauſed them to labour one another's deſtruction. The earl of Arlington, ſeeing that his enemy daily gained ground upon him, imagined he might recover his former credit and favour by performing a ſignal ſervice for the king; which was, to engage the prince of Orange to enter into the meaſures of the Engliſh court, for procuring ſuch a peace as was deſired by the courts of France and England. As his 1674-5. The earl of Arlington in diſgrace. Echard, III. p. 369. Echard. Oſborne made lord treaſurer. Temple's mem. p. 394. Arlington's ſucceſsleſs negotiation at the Hague; Temple.

[c] He was Latin ſecretary to the long parliament, and afterwards to Oliver Cromwell himſelf.

1674-5. counteſs was Mr. Odyck's ſiſter, who was much in the prince's confidence, he imagined, that with the aſſiſtance of Odyck, and his other relations and friends, it would be eaſy to ſucceed in the ſcheme he had projected. Wherefore, he obtained the king's leave to go to the Hague to execute his deſign. But as he was ignorant of the temper, humour and character of the prince of Orange, he took the very courſe to gain him which he ſhould have avoided. He endeavoured to vindicate all the proceedings of the cabal and Engliſh court, by reaſons ſo weak and oppoſite to the truth, that he ſeemed in his diſcourſe to the prince, to think he had to deal with a child, ignorant of the moſt common affairs, which could not but offend him. But what offended him ſtill more, was, that he attempted to draw him into a diſcovery of the Engliſh lords, with whom he had held a ſecret correſpondence during the laſt war. In a word, this journey proved ſo unſucceſsful, that he loſt not only the prince of Orange's eſteem, but all his credit with the king. Beſides, he farther incurred the duke of York's hatred, by propoſing to the prince, without any order, as it is ſaid, a marriage with the princeſs Mary the duke's eldeſt daughter, which was afterwards accompliſhed. It ſeems, the duke foreſaw how fatal that marriage would be to him. After the earl's return to court, his credit declined ſo viſibly, and the king ſhewed it ſo openly, that the courtiers made no ſcruple to mimick him in his preſence, for the king's diverſion. Thus had the earl of Clarendon been uſed. It is ſaid, that colonel Talbot, afterwards earl of Tyrconnel, having been ſome time abſent from court, and upon his return happening to ſee the earl of Arlington one day acted by a perſon with a black patch on his noſe, and a white ſtaff in his hand, could not forbear reproaching the king with his ingratitude, in ſuffering a man to be thus unworthily treated, who had ſerved him ſo faithfully, as well in his exile, as ſince his reſtoration; to which the king in his excuſe replied, that he had no reaſon to be ſatisfied with the earl's conduct; "for, not content "to come to prayers as others did, he muſt be conſtant "at ſacraments too. Why, anſwered Talbot, does not "your majeſty do the very ſame thing? God's fiſh! re- "plied the king with ſome heat, I hope there is a diffe- "rence between Harry Bennet and me. . . . .

This ſhows, the king had changed neither inclination nor principles ſince his deſigns had appeared to be ruin'd. The truth is, he was not ſatisfied with the members of the cabal,

Burnet, P. 377.

Temple's mem. P. 397.

Burnet. Echard.

Loſes all his credit. Id. p. 372.

The king remains fixed to his firſt projects.

cabal, though it was not for their counſels, but their not having purſued the general deſign with ſufficient ability. Sir William Temple in his memoirs, relates, that before he departed to offer the king's mediation to the ſtates, he endeavoured, in a private audience, to make the king ſenſible how ill-adviſed, and how ill-ſerved he had been by the cabal; to which the king anſwered—— "It is true, I have "ſucceeded ill, but if I had been well ſerved, I might have "made a good buſineſs enough of it:" and ſo proceeded to juſtify what was paſt. The king is therefore to be conſidered at the time I am ſpeaking of, that is, during the fourteen months interval between the two ſeſſions, as waiting a favourable opportunity for the better executing his deſigns. And this opportunity was not to be found till France ſhould be at peace with her enemies, and in a condition to aſſiſt her ſecret ally. In the mean time, the king ſeems to have had no other buſineſs, than to get as much money as he could from his parliament. He began therefore, according to cuſtom, with publiſhing a proclamation againſt popiſh prieſts and jeſuits to prepare the parliament to be favourable to him. 1674-5. Temple's mem. p. 383. Echard.

The fourteenth ſeſſion of this parliament began the 13th of April. The king opened it with a ſpeech to both houſes, in which he told them—— "That the prin- "cipal end of his calling them now, was to know what "they thought might yet be wanting to the ſecurity of re- "ligion and property, and to give himſelf the ſatisfaction "of having uſed his utmoſt endeavours to procure and ſet- "tle a right underſtanding between him and his parlia- "ment——For he muſt tell them, that he found the "contrary was ſo much laboured, and the pernicious de- "ſigns of ill men had taken ſo much place under ſpecious "pretences, that it was high time to be watchful in pre- "venting their contrivances; of which this was not the "leaſt, that they endeavoured, by all means they could "deviſe, to make it impracticable any longer to continue "this preſent parliament——That he had done as much "on his part as was poſſible to extinguiſh the fears and "jealouſies of popery; and would leave nothing undone "that might ſhew the world his zeal to the proteſtant re- "ligion as eſtabliſhed in the church of England, from "which he would never depart. He then recommended "the condition of the fleet, which he was not able, he "ſaid, to put into that ſtate it ought to be, and which "required a conſiderable ſum of money as well to repair as 1675. The king's ſpeech to the parliament. Id. p. 372. Kennet.

1675. "to build. Laſtly, he told them, that the ſeaſon of the "year would not permit a long ſeſſion——That he intend- "ed to meet them again the next winter, and in the mean "time recommended to them all ſuch temper and mo- "deration in their proceedings, as might tend to unite him "and them in counſel and affections, and diſappoint the "expectations of thoſe, who could only hope by violent "and irregular motions to prevent the bringing the ſeſſion "to a happy concluſion."

A bill againſt popiſh prieſts. Kennet. Echard.

The commons thanked the king for his ſpeech and promiſes to preſerve their religion and liberties: but as he had given them only proclamations, the little efficacy of which was well known, they believed them inſufficient, and accordingly proceeded to a new bill againſt the growth of popery, and particularly popiſh prieſts, that is, ſuch as had received orders from the ſee of Rome.

Addreſs againſt the duke of Lauderdale, Burnet, p. 379. Echard, III. p. 376. Kennet.

This done, the commons preſented a long addreſs againſt the duke of Lauderdale, in which they ſaid,——"That "upon a ſerious examination of the ſtate of the kingdom, "they found, that ſome perſons in great employment under "his majeſty, had fomented deſigns contrary to the inte- "reſt of both his majeſty and his people, intending to de- "prive them of their ancient rights and liberties, amongſt "which was the duke of Lauderdale [d], (this was clearly "pointing at the cabal.) That he had openly affirmed "in the preſence of his majeſty ſitting in council, and "before divers of his ſubjects attending there, that his "majeſty's edicts ought to be obeyed; for his edicts are "equal with laws, and ought to be obeyed in the firſt "place. They then repreſented to his majeſty ſome acts "which had been made by the parliament of Scotland, by "which it appeared, that there was a militia ſettled in that "kingdom of twenty thouſand foot, and two thouſand horſe, "who are obliged to be in a readineſs to march into any "part of this kingdom, for any ſervice wherein his maje- "ſty's honour, authority, and greatneſs may be concerned; "and are to obey ſuch orders and directions, as they ſhall "from time to time receive from the privy council there, "and that the duke of Lauderdale was the promoter of this "act. That by this means England was expoſed to an in- "vaſion from Scotland under any pretence whatſoever, "while the duke of Lauderdale was intruſted with the ad- "miniſtration of that kindom. For theſe reaſons, they

[d] Lately created earl of Guilford.

humbly

"humbly beſought his majeſty to remove the ſaid duke "for ever from his perſon and council." The king did not think proper to grant this requeſt, and gave ſome reaſons for his refuſal, which were not ſatisfactory to the commons. And therefore they reſolved to prepare a ſecond addreſs againſt the duke. 1675. and refuſed by the king.

The commons, after attacking the old members of the cabal, proceeded againſt a new one, namely, the lord treaſurer Danby, who was believed to be deeply engaged in the deſign of making the king abſolute. They examined his whole conduct ſince his admiſſion to his high poſt, and drew up ſeveral articles, in which they accuſed him of great miſdemeanours. In one of theſe articles, he was accuſed of ſaying at the hearing of a cauſe in the treaſury chamber, "That a new proclamation is better than an old act." But as ſufficient proofs were not found to ſupport the charge, it was dropt. The earl of Danby's conduct examined by the commons. Echard, III. p. 378. Burnet.

It may be eaſily inferred from theſe proceedings of the commons, that they were extremely jealous of the king and his miniſters, and did not doubt of the court's intention to introduce popery, and invade the liberties of the ſubject. Thoſe who would wholly aſcribe the ill humour of the commons to Shaftſbury's influences, can hardly anſwer the above mentioned facts, which would not be leſs true, though the earl of Shaftſbury had never been born.

The commons ſhowed alſo their diſtruſt in another point which was no leſs grievous to the king. By an addreſs they prayed him to recall his troops out of France, and prevent his ſubjects from engaging in that ſervice for the future. The king rejected the firſt part of the addreſs, on pretence that in the treaty concluded with the ſtates, he had not engaged to recall thoſe troops, and that it could not be done without prejudice to the peace, which he now enjoyed with all his neighbours: but by a proclamation he prohibited his ſubjects from entering into the ſervice of France. The king is deſired by the commons to call home his forces from France; which he refuſes. Echard.

Whilſt the commons were thus proceeding with vigour, and giving on all occaſions ſignal marks of their diſtruſt, the lords remained idle, and ſeemed regardleſs of the fears and jealouſies expreſſed by the commons. Nay, ſome, and particularly the biſhops, obſerving that the commons were gradually departing from the principle which had been eſtabliſhed by this ſame parliament, as well concerning the church of England, as the royal authority, feared, they The lords afraid that the commons are going too far. Kennet, p. 332. Echard.

1675. would lean too much to the oppoſite ſide. At the beginning of this parliament, whilſt it was believed that the king was and ever would be a protector of the church of England, and would give continual proofs of his affection for a people who had ſo generouſly reſtored him, it was thought the royal authority could not be carried too high, nor too many precautions taken againſt the nonconformiſts. But the face of things being changed, and the king having ſhown by his conduct ſince he was on the throne, that he really deſigned to introduce popery, and render himſelf abſolute, theſe ſame principles, which had been conſidered as a bulwark to defend both church and ſtate, appeared too apt to countenance the deſigns aſcribed to the king and his miniſters, of invading the government and the eſtabliſhed religion. The commons therefore ſeeing, the king was not the perſon he was thought to be, and that he took advantage of the acts made in his favour to advance his own intereſts, which were not thoſe of the nation, uſed all poſſible precautions to hinder the execution of his deſigns. Theſe precautions went ſo far, that the houſe of lords were at laſt apprehenſive, that the commons intended to overturn every thing eſtabliſhed concerning the royal prerogative and the church's ſecurity, and that by degrees the nation would again become republican and preſbyterian. It is pretended, the biſhops were all or moſt of them of this opinion. To prevent an evil which to them appeared very dangerous, Robert Bartu, earl of Lindſey brought into the houſe of lords a bill, intitled, "An act to prevent the dangers which may ariſe from perſons diſaffected to the government." By this bill all perſons who enjoyed any office eccleſiaſtical, civil, or military, all privy counſellors and members of parliament, were obliged, under a penalty, to take the oath which had been introduced firſt in the corporation act, then in the militia act, and afterwards more fully in the five mile act, The oath, to ſave the reader the trouble of looking for it elſewhere, was thus expreſſed, "I do declare that it is not lawful upon "any pretence whatſoever to take up arms againſt the king; "and that I do abhor the traiterous poſition of taking arms "by his authority againſt his perſon, or againſt thoſe that are "commiſſioned by him, in purſuance of ſuch commiſſion: and "I do ſwear, that I will not at any time endeavour the alteration of the government either in church or ſtate. So "help me God."

Bring a bill into their houſe to check their deſigns.

When this oath was inſerted in the three forementioned acts, it produced no conſiderable debate, for the reaſons I have

have been ſpeaking of; but the caſe was very different when it was propoſed in this ſeſſion. Firſt, becauſe it was rendered in a manner univerſal, ſince it was extended to all perſons in any office whatever, and even to privy counſellors and members of parliament. Secondly, becauſe the times were altered, and moſt men had not the ſame opinion of the king, as when the three former acts were made. This bill occaſioned debates in the upper houſe, which laſted ſeventeen days, without a poſſibility of coming to any concluſion [e]. There were two powerful parties in the houſe, one for, and the other againſt the bill, and the votes of the biſhops turned the ſcale on the ſide of the firſt. This appeared, in that notwithſtanding all the efforts of the oppoſers of the bill, to hinder its being referred to a committee, they could not ſucceed." Whereupon ſome lords of that party entered their proteſtation againſt it [f]. The ſame thing happened, when the bill came to be examined in a committee of the whole houſe. In fine, with regard to the ſubſtance of the bill, the two parties diſplayed all their art and eloquence, the one for the paſſing, and the other for the rejecting it. In general, thoſe who argued for the bill maintained, that "the poſition of taking up arms by the "king's authority againſt his perſon, or againſt thoſe that "are commiſſioned by him," was falſe and pernicious; and they ſupported their opinion by inſtances of what had been done in the laſt reign, where it cauſed ſuch great diſorders, and occaſioned the ſubverſion both of church and ſtate. They ſaid therefore, that the kingdom being ſtill full of fanaticks, republicans, and enemies of the church, it was abſolutely neceſſary to impoſe this oath upon them, to diſtinguiſh them, that it might be known who were to be guarded againſt. That, otherwiſe, there was danger of ſeeing one day renewed, the diſorders which had reduced the kingdom to ſo deplorable a condition, and that the oath en-

1675.

Great debates upon it. Echard, III. p. 379 —383. Kennet. R. Coke.

Burnet, p. 383.

Kennet, p. 332.

[e] The great ſpeakers for this bill, were, the lord treaſurer, and the lord keeper, with biſhop Morley, and biſhop Ward. The ſpeakers againſt it, were, the duke of Buckingham, the earl of Shaftſbury, the lords Holles and Hallifax, and the earl of Saliſbury. Kennet, p. 332.

[f] The proteſting lords, who were looked upon as of the country party, were Buckingham, Bridgewater, Wincheſter, Saliſbury, Bedford, Dorſet, Ayleſbury, Briſtol, Denbigh, Paget, Holles, Petre, Berkſhire, Mohun, Stamford, Hallifax, De-la-mer, Eure, Shaftſbury, Clarendon, Grey of Rollefton, Say and Seal, Wharton. It muſt be obſerved, that this bill was contrived by the church party, and was diſliked by the duke, and the papiſts in general, becauſe they thought the bringing any teſt in practice, would certainly bring on one that would turn them out of the houſe.

1675. joined by this bill, was, "a moderate ſecurity to the church and crown g."

Echard, III. p. 381. Burnet, p. 384.

The other party maintained h, "That the oath impoſed "by this, contained three clauſes, the two firſt aſſertory, "and the laſt promiſſory; that it was worthy the conſider- "ation of the biſhops, whether aſſertory oaths, which "are properly appointed to give teſtimony of a matter of "fact, of which a man is capable to be aſſured by the evi- "dence of his ſenſes, be lawful to be made uſe of to con- "firm or invalidate doctrinal propoſitions; and whether "that legiſlative power, which impoſes ſuch an oath, does "not neceſſarily aſſume to itſelf an infallibility. And as to "promiſſory oaths, it was deſired, that the learned pre- "lates would conſider the opinion of Grotius de jure belli "et pacis, lib. 2. cap. 3. who ſeems to make it plain, that "thoſe kind of oaths are forbidden by our ſaviour Chriſt, "Matt. v. 34, 37. And whether it would not become "the fathers of the church, when they have well weighed "that and other places of the new teſtament, to be more "tender in multiplying oaths, than hitherto the great men "of the church have been"? But the queſtion being put, the oath was voted by the majority of the houſe, the biſhops being all for it.

The bill paſſes. Echard, III. p. 381.

Then they proceeded to the particulars of the oath con- tained in the bill, and it was alledged by the oppoſers, that the poſition of "taking arms by the king's authority againſt "his perſon," was true and neceſſary in a limited govern- ment, like that of England, otherwiſe this would be to ſurrender the rights and liberties of the ſubject, to a prince, who being ſuppoſed a tyrant, (which was a very poſſible caſe) would not be reſtrained by the fear, either of God or man. That ſhould ſuch a future king undertake to aboliſh all the laws, and invade the eſtates and liberties of his ſubjects, they would be obliged by this oath, not to reſiſt him, but to ſubmit to his yoke. That even without ſup-

g Theſe were the lord chancellor's words.

h They ſaid, there ought to be no teſts, beyond the oath of allegiance, upon the elections to parliament: it being the great privilege of Engliſhmen, that they were not to be taxed but by their repreſentatives; it was therefore thought a diſinheriting men of the main part of their birthright, to do any thing that ſhould ſhut them out from their votes in electing: all teſts in publick aſſemblies were thought dan- gerous, and contrary to the publick li- berty: a great deal was ſaid, to ſhew, that the peace of the world was beſt ſecured by good laws, and good go- vernment; and that oaths and teſts were no ſecurity: the ſcrupulous might be fettered by them: yet the bulk of the world would boldly take any teſt, and as boldly break through it. Bur- net, p. 384.

poſing

poſing ſuch a tyranny, a king might happen to be made priſoner by his own ſubjects, as was the caſe of Henry III. and Henry VI. and then thoſe who ſhould have the ſovereign in their hands, might act in his name, and authority, by virtue of his commiſſions, while the ſubjects would be reſtrained by the obligation of this oath from endeavouring to free him from captivity. In ſhort, ſeveral other probable caſes were alledged, by which it was clearly proved, that the oath ought neceſſarily to have ſome reſtrictions, if it was not intended to ſurrender to the king all the liberties of the nation. But as ſuch reſtrictions were not eaſy to be expreſſed, they concluded, it was much better, to leave the oath in generals which ſhould not comprehend all poſſible caſes, as ſeemed to be the intention of this oath from the terms in which it was conceived. 1675.

This affair was interrupted by an accident which raiſed a violent conteſt between the two houſes. I ſhall not relate the particulars, which ſuppoſe the knowledge of many things concerning the privileges of both houſes, which few foreigners are acquainted with. I ſhall content myſelf with briefly ſhowing the occaſion of it. One dr. Shirley having brought an appeal in the houſe of lords from a decree in chancery againſt ſir John Fagg, a member of the houſe of commons, they ordered Shirley to be taken into the cuſtody of the ſerjeant at arms for a breach of privilege. The warrant for taking Shirley into cuſtody was forcibly taken from the ſerjeant's deputy, by the lord Mohun. The commons demanded juſtice of the peers againſt the lord Mohun, and were anſwered by the lords, that he had only done his duty. The quarrel thus begun, daily increaſed, ſo that the houſes, in their anſwers and replies, came to language ſo reproachful, that there was no hope of an accommodation [i]. Wherefore the king came to the houſe of peers the 9th of June, and prorogued the parliament to the 13th of October. Thus ended the 14th ſeſſion of this parliament, before the money bill and other publick bills were ready for the royal aſſent. The commons had deſigned to grant the king three hundred thouſand pounds ſterling [k], but at the ſame time re-

A quarrel between the two houſes. Kennet. Echard. Burnet.

Parliament prorogued. Echard, III. p. 387.

[i] The lords affirmed, that it is the undoubted right of the lords in judicature, to receive and determine in time of parliament, appeals from inferior courts, though members of either houſe be concerned. The commons, on the other hand, maintained it to be the undoubted right of their houſe, that none of the members thereof be ſummoned to attend the houſe of lords, during the ſeſſion and privilege of parliament.

[k] For the building of ſhips.

ſolved

1675. ſolved to apply the antient tunnage and poundage to the maintenance of the navy, according to it's original deſign, which amounted to four hundred thouſand pounds a year. As the king would have been a real ſufferer by ſuch an appropriation, he was not ſorry to have occaſion to prorogue the parliament, chuſing rather to be deprived of a ſum of three hundred thouſand pounds, than loſe a revenue of four hundred thouſand.

Death of marſhal Turenne. Tempie. Baſnage. Echard.

During the campaign of 1675, the king of France loſt the famous marſhal Turenne, who had done him very great ſervices. He was killed by a cannon ball in an action not important in itſelf, but rendered ſo by the death of that general, his army being obliged to repaſs the Rhine. Their retreat facilitated the recovery of Treves to the allies, which was yet in the hands of the French. In the beginning of the year, the contending powers had agreed, after long negotiations, to treat of a peace in the city of Nimeguen. But nothing conſiderable was done this year.

Intrigues for the diſſolution of the parliament. Id. p. 390.

In England, ſince the laſt ſeſſion, there were ſome intrigues at court to engage the king to diſſolve the parliament. The preſbyterians earneſtly wiſhed it, hoping that the people diſſatisfied with the court, would, as uſually happens, chuſe repreſentatives who had other principles than thoſe of the preſent parliament. The papiſts had paſſionately deſired this diſſolution before the laſt ſeſſion, but, as it appears in one of Coleman's letters of Auguſt this year, they had altered their mind, and expected much from this very parliament which had hitherto been ſo averſe to them. But it is not ſeen on what this hope was founded. I ſhall hereafter ſpeak of this and ſome other letters of Coleman, in which it evidently appears, that the papiſts were at this time very active to procure great advantages to their religion, and relied much on the duke of York, and the aſſiſtance of France.

The parliament opened with a ſhort ſpeech from the king. Kennet, p. 333. Echard.

The 13th of October the king opened the 15th ſeſſion of the parliament with a very ſhort ſpeech, in which, after recommending union to both houſes, and the intereſts of the church of England, he demanded money, as well for building ſhips, as for taking off the anticipations upon his revenues, deſiring them to remember, it was now above three years ſince he had aſked any thing of them for his own private uſe.

The keeper's ſpeech.

Then the lord keeper made a ſpeech full of flattery to the king, in which he endeavoured to ſhow, that no king had ever a more ſincere affection for his ſubjects, or laboured with

more

more zeal for the preſervation of religion and liberty, and therefore it was not to be doubted, but they would behave themſelves like thoſe that deſerved to be called the king's friends, and that they would put him at eaſe too. 1675.

But the commons, inſtead of being moved by ſo unſeaſonable a rhetorick, and by ſuch ill-grounded reaſons, reſumed the conſideration of the bills left unfiniſhed the laſt ſeſſion for the liberty of the ſubject, and added others for its better ſecurity. The commons reſume the interrupted bills. Id. p. 393.

Afterwards they took into conſideration the ſums granted to the king for the laſt war, and the expences of the ſame, and found, that the charges amounted to a million leſs than the receipt, and without being able to diſcover to what uſes this million had been applied [l]. Examine the publick accounts. Id. p. 394. Burnet.

In the report made of this affair, it was ſaid, that the parliament was not obliged to pay the king's private debts by a tax, for if this pretenſion was admitted, they would have to pay the like debts about a year and half hence, and ſo encourage the court to exact yearly a million and a half, as they had hitherto done: that ſince the end of the war, the whole charge of the government, both by ſea and land, amounted not to above ſeven hundred thouſand pounds ſterling, and the clear income of the revenue came at leaſt to ſixteen hundred thouſand, and conſequently there ought to have been a yearly remainder of near a million: and yet the king had anticipated his revenues near a million more, to pay which, would be to entail perpetual anticipations upon the kingdom, to its utter ruin and deſolation. The parliament therefore reſolved to grant the king nothing for taking off theſe anticipations. Nevertheleſs, a few days after they voted a ſupply of three hundred thouſand pounds ſterling for the building of twenty large ſhips of war [m], but withal reſolved to appropriate tunnage and poundage to the uſe of the navy, which could not but be very diſagreeable to the king. A vote to grant money for building of ſhips.

Then the commons proceeded to examine the trade with France, and found, that the French imported yearly into England commodities to the value of a million more than they exported, upon which a bill was ordered to be prepared. The ſtate of commerce examined. Echard, III. p. 395.

[l] The charges of the war were, two millions and forty thouſand pounds, and the receipt, three millions and forty thouſand pounds; conſequently, a million was miſapplied, or waſted by ill management,

[m] One firſt rate, of fourteen hundred tuns; eight ſecond rates, of eleven hundred tuns; and eleven third rates, of ſeven hundred tuns. Echard, tom. III. p. 395.

Laſtly,

1675. Laſtly, the commons being informed of a publick report, that many of their members were penſioners to the court, reſolved to oblige all their members to take an oath, by which they were to proteſt, that they had not received any money from the court, ſince the 1ſt of January 1672. But I know not whether this reſolution was executed [n].

And the penſionary members. Ibid.

An attempt of a jeſuit. Kennet, p. 337. Echard, III. p. 396.

The debates of the commons were a little interrupted, by a report made to the houſe of the inſolence of a French jeſuit named St. Germain. The jeſuit being informed, that one Luzancy a French prieſt had embraced the proteſtant religion, and afterwards had publickly preached to juſtify his converſion, went to him, and, threatening to aſſaſſinate him, or carry him away by force into France, extorted from him a recantation in writing of his converſion and ſermon. This was done during the ſeſſion of the parliament. A complaint was laid before the ſecretaries of ſtate, and alſo before the commons, atteſted by Luzancy, with an addition of the following particulars, which he offered to ſwear. That father St. Germain in ſeveral conferences with him declared: 1. That the king was a Roman catholick in his heart. 2. That the court were endeavouring to get a liberty of conſcience in England for the Roman catholicks, and that granted, in two years, moſt of the Engliſh would acknowledge the pope. 3. That he knew the king's intention concerning religion, and that he was ſure his majeſty would approve of all he ſhould do in that matter. 4. That he laughed at the parliament, as being only a wave that had but a little time; and ſaid, that nobody was better welcome at court, and had greater intrigues with any

[n] The words of this oath or teſt ran thus: —— "I A. B. do proteſt before "God and this houſe of parliament, "that directly nor indirectly, neither "I, nor any for my uſe, to my know-"ledge, have ſince the firſt day of "January 1672, had or received any "ſum or ſums of money by ways of "impreſt, gift, loan, or otherwiſe, "from the king's majeſty, or any other "perſon by his majeſty's order, direc-"tion, or knowledge, or by authority "derived from his ſaid majeſty, or "any pardon, diſcharge, or reſpite of "any money due to his ſaid majeſty "upon account, or any grant, penſion, "gratuity, or reward, or any promiſe "of any ſuch office, place, or com-"mand, of or from his majeſty, or out "of any money, treaſure, or eſtate, "of or belonging to his majeſty, or of, "from, or by any foreign ambaſſador "or miniſter, or of, or from any other "perſon in the name, or by the ap-"pointment, or with the knowledge, "of his majeſty or any of them; or "otherwiſe than what I have now in "writing faithfully diſcovered and "delivered to this houſe, which I "have ſubſcribed with my name; "neither do I know of any ſuch gift, "grant, or promiſe ſo given, or made, "ſince the ſaid time, to any other "member of this houſe, but what I "I have alſo inſerted in the ſaid "writing; nor have I given my vote "in parliament for any reward or "promiſe whatſoever."

So help me God, &c. Ibid.

of

of the nobility than he. 5. That it was good ſometimes to force people to heaven; and that there were an infinite number of prieſts and jeſuits in London, that did God very great ſervice. Luzancy added farther, that many perſons of good credit and repute, were ready to juſtify upon oath, that ſeveral of the Roman catholicks had ſpoken things quite as bad or worſe. In a word, that they were grown ſo bold and inſolent, that a proſelyte could not walk the ſtreets without being threatened and called opprobrious names. 1675.

This affair threw the houſe into a ferment, and obliged the king to publiſh a proclamation, promiſing two hundred pounds for the apprehending of St. Germain. But that jeſuit was now retired into France, from whence he kept a conſtant correſpondence with Coleman the duke of York's ſecretary, in whoſe letters it appeared, that the duke laboured the advancement of popery to the utmoſt of his power.

I have obſerved, how much this parliament had been againſt the preſbyterians, and that the diſcovery of the court's deſigns had induced them to bring in a bill for their eaſe, but that the bill became abortive by a ſudden prorogation of the parliament. The affair of Luzancy and St. Germain cauſed the commons to think of a like bill, but they were prevented by the lords. The duke of Buckingham having in a ſpeech to the peers ſhown the miſchiefs ariſing from the perſecution of the proteſtant diſſenters, deſired leave to bring in a bill for their eaſe, which was granted immediately.

A bill brought into the houſe of lords, in favour of nonconformiſts. Echard.

But this bill, and all the reſt prepared by the commons, were unhappily ſtifled in their birth by the revival of the former conteſt between the two houſes. This diſpute about privileges was managed with ſuch heat on both ſides, that it was moved in the houſe of lords, to preſent an addreſs to the king to diſſolve the parliament, and the queſtion being put, it was paſſed in the negative by only two voices. At laſt, the king ſeeing, no expedient could be poſſibly found to reconcile the two houſes, prorogued the parliament from the 22d of November to the 15th of February 1677, that is, for fifteen months.

The quarrel between the houſes revived.

The parliament prorogued. Kennet. Echard.

I ſhall cloſe this year with ſome leſs important tranſactions, which ought not to be omitted.

In May, the prince of Newburg came into England, and was received with great diſtinction by the king, as well on account of his perſonal merit, as in conſideration of the civilities

The prince of Newburg arrives in England. Kennet. Echard.

1675. vilities received by the king in his exile from the duke his father.

And the ducheſs of Mazarin.

The ducheſs of Mazarin having a difference with her huſband, retired into England this year, where it is pretended, ſhe would have ſupplanted the ducheſs of Portſmouth [o], had not an intrigue with a certain courtier been too ſoon diſcovered to the king. He aſſigned her however an annual penſion of four thouſand pounds ſterling. Her houſe, to the day of her death, was the rendezvous of all the men of wit and quality, and St. Evremond, a refugee as well as herſelf, was one of her moſt conſtant attendants.

Finch made lord chancellor.

The 19th of December, Heneage lord Finch, baron of Daventry, who had been only lord keeper, was made lord high chancellor.

Deaths. Ibid.

The moſt remarkable deaths were thoſe of dr. Lightfoot, dr. Willis, and Bulſtrode Whitelocke [p]. The laſt has been frequently mentioned in the recital of the differences between Charles I. and the parliament.

1675-6. As there was to be no meeting of parliament the next year, the catholicks, and the court, which openly protected them,

The nation diſcontented Id. p. 402.

were leſs reſerved and appeared more active. This gave great uneaſineſs to the people, who, beſides, ſaw with concern the growing greatneſs of Lewis XIV. and the indolence of the king, who, inſtead of being uneaſy or jealous, manifeſtly ſeemed to behold it with pleaſure. It may be affirmed, that the principal article of Charles II's reign conſiſts, in the perpetual oppoſition between the particular intereſts of the king, and thoſe of the Engliſh nation. All the world ſaw and were ſenſible of it. It was the common talk, and the ſubject of daily libels. The king therefore by proclamation ſuppreſſed all coffee houſes, on pretence of being places where diſaffected perſons met and deviſed malicious and ſcandalous reports againſt the king and his miniſters. Immediately after was publiſhed another proclamation, for diſcovering and puniſhing the writers, who daily publiſhed libels in London againſt the government. But it is ſeldom known, that ſuch proclamations produce any great effects, eſpecially in England, where the liberty of ſpeaking againſt the government is more unreſtrained, than in any other country.

Dec. 29. Kennet. Coffee-houſes ſuppreſſed. Proclamation againſt libels.

[o] It is ſaid, that ſhe was brought into England for that very purpoſe, by the country party. Life of St. Evremond.

[p] Author of the memorials of the Engliſh affairs. He was upon the ſtage above twenty years, but the laſt fifteen years of his life he lived retired.

Though

Though all the contending powers had, the laſt year, conſented to ſend their plenipotentiaries to Nimeguen, to treat of a peace, by the mediation of England, there was no great likelihood of a general peace. Sir William Temple and ſir Leoline Jenkins, the Engliſh mediators and ambaſſadors, repaired to Nimeguen in July, and only found there the plenipotentiaries of France, and thoſe of the ſtates general. The emperor, the king of Spain, the elector of Brandenburgh, retarded the negotiations, as much as poſſible, in hopes, that the king of England; being concerned in the preſervation of the Netherlands, would not ſuffer them to fall under the dominion of France, and that this would oblige him in the end to declare for the allies. But they were extremely miſtaken in imagining that the intereſt of England was that of the king. It was this that made the proceeding of the Engliſh court always unintelligible to them, as well as to the reſt of the princes of Europe, who were ignorant of Charles's ſecret deſigns and his engagements with France. 1675-6. Congreſs of Nimeguen. Jenkins's life. Temple's letters. Echard.

In the beginning of the campaign of 1676, the king of France took Conde and Bouchain, after which, in June he returned to Paris, leaving his army to the conduct of the count de Schomberg. On the other ſide, the prince of Orange beſieged Maeſtricht towards the end of July, which gave Schomberg time to take Aire, and march to the relief of Maeſtricht. His approach, and ſome other accidents, obliged the prince to raiſe the ſiege. 1676. Raſnage. Echard.

The campaign being ended; all eyes were turned to the negotiations at Nimeguen. It ſoon appeared, that the deſign of France was only to divide the allies, and make a ſeparate peace with the ſtates. The king of England had alſo the ſame view, and therein aſſiſted France with all his power, having ſent orders to ſir William Temple, to endeavour to perſuade the ſtates and the prince of Orange, to give their conſent. The ſtates were inclinable enough, but the prince of Orange could not be prevailed with, who thought, it would be a betraying of the common cauſe and the intereſts of the princes, who had engaged in the preſervation of Holland, which without their aſſiſtance had been irrecoverably loſt. He ſaid, it was in his uncle's power to make peace when he pleaſed, by declaring againſt France. But nothing was farther from the king's intention, who, inſtead of being jealous of the king of France, was privately doing him all the ſervice he could, in ſoliciting the ſtates and his nephew the prince; to make a ſepa- Charles tries to procure a ſeparate peace between France and Holland. Temple. Jenkins. Kennet.

1676. rate peace. This diſcovers with what partiality he acted as mediator.

He endeavours to diſabuſe the confederate princes. Echard, III. p. 404.

The hope entertained by the allies, that England would at laſt declare againſt France, was the greateſt obſtacle to peace. The king not being ignorant of it, believed he ought to undeceive the allies, in order to induce them to make ſuch a peace as was deſired by France. For this purpoſe, he publiſhed two proclamations, in which, on pretence of regulating ſome things concerning the neutrality, his deſign was to ſhow, he had no intention to depart from it.

French privateers moleſt the Engliſh. Kennet, p. 338, &c.

Since the king had made peace with Holland, the French privateers infeſted the Channel in ſuch a manner, that without any regard to the neutrality of England, they ſeized her ſhips, and, as if in open war, made prizes of them [q]. It was proved, that they had taken fifty three ſince the peace. At laſt, the thing went ſo far, that the commiſſioners of trade were obliged to preſent a report concerning theſe indignities, to the king, and to pray him that he would take ſome courſe about it. The king very graciouſly received the report, and ſent orders to his ambaſſador at Paris to make complaints on this occaſion; but that was all the ſatisfaction the merchants could obtain [r]. For the court of France, knowing that Charles would not break with them for fifty three ſhips belonging to private men, took no notice of theſe complaints. The king's indolence produced at leaſt this effect, that the people of England, enraged to ſee themſelves thus expoſed to the piracies of the French, were extremely deſirous of a war with France, in order to be revenged, and impatiently waited the meeting of the parliament, in the belief that both houſes would be more careful than the king, of the intereſts of the nation.

The Engliſh deſirous of a war with France.

Proclamation againſt papiſts, &c. Echard, III. p. 406.

The remaining part of this year afforded nothing memorable, beſides a proclamation publiſhed by the king, forbidding his ſubjects to hear maſs in the queen's chapel in Somerſet houſe, or in the houſes of ambaſſadors. Theſe proclamations were always expreſſed in very rigorous terms, but executed with ſuch negligence, that the frequency of them only ſerved to ſhow, how little deſirous the king was to have his orders ſtrictly obſerved. They were

[q] Pretending they were only Dutch ſhips with Engliſh paſſes. Burnet, p. 390.

[r] No wonder; ſince ſir Ellis Leighton, ſecretary to the Engliſh ambaſſador at Paris, received bribes in the proſecution of the merchants affairs, and ſometimes made corrupt agreements with the French privateers. Kennet, p. 338.

uſually

uſually a preparative to the next ſeſſion, but during the intervals of parliament, the Romiſh prieſts and jeſuits, who ſwarmed in the kingdom, and all other papiſts were ſure of impunity. 1676.

This year died George Digby earl of Briſtol in the ſixty fifth year of his age, who has often been remembered in the courſe of this hiſtory [a]. Earl of Briſtol's death.

The king, as I ſaid, had prorogued the parliament for fifteen months, except a few days. This prorogation, the longeſt that ever was known, raiſed a doubt, whether by it the parliament was not actually diſſolved. This doubt was owing to a ſtatute of Edward III. never repealed, whereby it was enacted, that a parliament ſhould be held once every year, and oftener if occaſion required. This diſpute made a great noiſe in the kingdom, and books were publiſhed on both ſides the queſtion. In general the court party maintained, that the parliament was not diſſolved, and the contrary party pretended it could not meet, after a fifteen months interruption. I believe the intereſt of neither party was herein much concerned, though perhaps ſome private perſons might have found ſome advantage in a new parliament. 1676-7. A queſtion ſtarted, whether the parliament was not diſſolved. Kennet. Echard. Burnet, P. 401. R. Coke.

The parliament however met the 15th of February according to the prorogation. The king in his ſpeech to both houſes declared, "That he was prepared to give them "all the ſatisfaction and ſecurity, in the great concerns of "the proteſtant religion as eſtabliſhed in the church of "England, that ſhould be reaſonably aſked, or could conſiſt with chriſtian prudence. And he declared himſelf "as freely, that he was ready to gratify them in a further "ſecurity of their liberty and property, (if they could "think it was wanted) by as many good laws as they "ſhould propoſe, and as could conſiſt with the ſafety of the "government, without which there could be neither li-"berty nor property left to any man." After this, reckoning he had given both houſes entire ſatisfaction, he told them, "That he expected and required from them, that "all occaſions of differences between the two houſes ſhould "be carefully avoided.——In the next place, he deſired "them to conſider the neceſſity of building more ſhips, "and how much all their ſafeties were concerned in it—— The king's ſpeech to the parliament. Echard.

[a] This year alſo died ſir Matthew Hale, chief juſtice of the king's bench; ſir William Morrice, formerly ſecretary of ſtate; and John Ogilby, the publiſher of ſeveral books.

1676-7. "And as they knew him to be under a great burden of "debts, he hoped, they would not deny him the continu- "ance of the additional revenue of exciſe, which was "near expiring——And, that they might be ſatisfied how "impoſſible it was (whatever ſome men thought) to ſup- "port the government with leſs than the preſent revenue, "they might at any time ſee the yearly eſtabliſhed charge, "by which it would appear, that the conſtant and unavoid- "able charge being paid, there would remain no overplus "towards the diſcharging thoſe contingencies which might "happen in all kingdoms, and which had been a conſider- "able charge to him the laſt year."

The chancellor's ſpeech. Echard, III. p. 412.

Then the chancellor enlarged upon all theſe points; but as his ſpeech was wholly founded upon this unqueſtionable truth, according to him, that the king had only the welfare of his people in view; I ſhall tranſcribe only this ſingle paſſage.——"For the king hath no deſires but what "are publick, no ends or aims which terminate in himſelf; "all his endeavours are ſo entirely bent upon the welfare of "his whole dominions, that he doth not think any man a "good ſubject, who doth not heartily love his country: and "therefore let no man paſs for a good patriot, who doth "not heartily love and ſerve his prince. Private men in- "deed are ſubject to be miſled by private intereſts, and may "entertain ſome vain and ſlender hopes of ſurviving the pub- "lick; but a prince is ſure to fall with it, and therefore can "never have any intereſts divided from it. To live and "die with the king, is the higheſt profeſſion a ſubject can "make, and ſometimes it is profeſſion only and no more; "but in a king it is an abſolute neceſſity, it is a fate inevi- "table, that he muſt live and die with his people. Away "then with the vain imaginations of thoſe who infuſe a "miſbelief of the government; away with all thoſe ill- "meant diſtinctions between the court and the country, be- "tween the natural and the political capacity? and let us "all who go about to perſuade others, that there are ſeveral "intereſts, have a care of that precipice, to which ſuch "principles may lead them."

The duke of Buckingham makes a ſpeech, to prove the parliament diſſolved. Echard. Kennet.

As ſoon as the commons were withdrawn, the duke of Buckingham ſtood up in the houſe of lords, and made a very *long* ſpeech, to prove, that the parliament was diſſolved by the laſt prorogation. He grounded his opinion upon antient ſtatutes (which, he ſaid, are not like women, the worſe for being old) and chiefly upon the ſtatute of Edward III. namely, "That a parliament ſhould be holden every year "once,

"once, and more often, if need be." He added, "Tho' 1676-7.
"theſe words are as plain as a pike-ſtaff, and no man living,
"that is not a ſcholar, can poſſibly miſtake their meaning,
"yet the grammarians in thoſe days made a ſhift to explain,
"that the words, if need be, related as well to the words,
"every year once, as to the words, more often, and ſo by
"this grammatical whimſey of theirs, have made this ſta-
"tute to ſignify nothing. For this reaſon in the 36th year
"of the ſame reign, a new act of parliament was made, in
"which thoſe unfortunate words, if need be, are left out;
"and that act, relating to magna charta, and other ſtatutes,
"made good. Here now, my lords, there is not left the
"leaſt colour for any miſtake, for it is plainly declared,
"That the kings of England muſt call a parliament once
"within a year." Then he reduced the whole matter to this dilemma. "Either the kings are bound by theſe acts,
"or elſe the government of England by parliaments is at
"an end. For if the kings have power, by an order of
"theirs, to invalidate an act made for the maintenance of
"magna charta, they have alſo power, by an order of
"theirs, to invalidate magna charta itſelf." It appears by the ſequel of this ſpeech, that the duke of Buckingham's aim was to put an end to this parliament, which had continued ſo long, and thereby rendered the commons, in ſome meaſure, ſovereigns over their countrymen. The duke was ſeconded by the earls of Saliſbury and Shaftſbury, and the lord Wharton. At laſt, after great debates, the houſe ſent all four to the Tower [t], from whence they were ſhortly after releaſed, except the earl of Shaftſbury, who was continued there above a year, becauſe he would not own the juſtice of his impriſonment [u].

Second three other lords. Id. p. 339. All four ſent to the Tower. Burnet.

A few days after, the commons voted the king a tax of five hundred and eighty four thouſand pounds, to build thirty ſhips, without appropriating tunnage and poundage. Beſides, they continued for three years the additional tax upon beer, which was to expire the 24th of June.

A ſupply granted. Kennet. Echard. Burnet.

[t] The two earls, upon having leave to have their own ſervants wait on them, named their cooks firſt, which the king highly reſented, as carrying in it an inſinuation of the worſt ſort. Burnet, p. 402.

[u] The earl of Shaftſbury, it ſeems, had reflected on the duke of Buckingham, as a man inconſtant and giddy in his conduct. As the duke was taking coach, on his diſcharge out of the Tower, the earl looking out of his window, cried, "What, my lord, are "you going to leave us? Ay, my lord, "replied the duke, ſuch giddy headed "fellows as I can never ſtay long in "a place."

1676-7. It appeared ſoon after, that their grand affair was to ſtop the great progreſs of France in the Netherlands, and engage the king in a war with that kingdom, for which purpoſe they preſented the following addreſs:

The commons addreſs the king againſt France. Kennet. Echard, III. p. 417, &c. Burnet. R. Coke.

"We your majeſty's moſt loyal ſubjects, do moſt humbly offer to your majeſty's conſideration, that the minds of your people are much diſquieted with the manifeſt dangers ariſing to your majeſty, by the growth and power of the French king, eſpecially by the acquiſitions already made, and the farther progreſs like to be made by him in the Spaniſh Netherlands, in the preſervation and ſecurity whereof we humbly conceive the intereſt of your majeſty, and the ſafety of your people, are highly concerned; and therefore we humbly beſeech your majeſty to take the ſame into your royal care, and to ſtrengthen yourſelf with ſuch ſtricter alliances, as may ſecure your majeſty's kingdoms, and ſecure and preſerve the ſaid Spaniſh Netherlands, and thereby quiet the minds of your majeſty's people." To which the king anſwered,—— "That he was of the opinion of his two houſes of parliament, that the preſervation of Flanders was of great conſequence; and that he would uſe all means in his power for the ſafety of his kingdom."

His anſwer.

1677. This anſwer not being ſatisfactory, the houſe preſented a ſecond addreſs on the ſame ſubject the 30th of March. It was much the ſame with the firſt, excepting the addition, that in caſe his majeſty ſhould happen to be engaged in a war with France, they ſhould always be ready to aſſiſt him with ſuch ſupplies, as might enable him to proſecute the ſame with ſucceſs.

A ſecond addreſs.

The king's anſwer. The king gave no anſwer to this addreſs till twelve days after, when he ſent a meſſage, "That the only way to prevent the dangers which might ariſe in theſe kingdoms, would be to put him timely in a condition to make ſuch fitting preparations, as might enable him to do what ſhould be moſt for their ſecurity."

A third addreſs. This drew from the commons a third addreſs to the king, in which they informed him, that they were preparing a bill for the additional duty of exciſe, on which he might borrow two hundred thouſand pounds, and promiſed to give him ample teſtimony of their affection at their next meeting, after a ſhort receſs during Eaſter. The king not ſatisfied with ſo ſmall a ſum, told them plainly, that without ſix hundred thouſand pounds, it would not be poſſible for him to anſwer the ends of their ſeveral addreſſes.

The king's anſwer.

Many

Many members being abſent on account of the expected adjournment at Eaſter, the commons were cautious of proceeding upon other money bills; but deſired his majeſty's leave to adjourn, promiſing, that, after the receſs, they would comply with his demands. The ſame day, the 16th of April, the king came to the houſe of peers, and gave his aſſent to ſeveral acts. The chief were, 1. An act for the raiſing of five hundred and eighty four thouſand pounds ſterling, for building of thirty ſhips. 2. An act for an additional exciſe upon beer, and other liquors, for three years. 3. An act for prevention of frauds and perjuries. 4. An act for taking away the writ de hæretico combrurendo. 5. An act for erecting a judicature to determine differences touching houſes burnt by the late dreadful fire in Southwark [w]. Then the chancellor acquainted the two houſes, that the king gave them leave to adjourn to the 21ſt of May next. 1677. Acts paſſed. Statute b. Konnet.

The king, undoubtedly, had no deſire to begin a war with France, his private engagements with Lewis being too ſtrong to allow him ſuch a thought. However, he improved the preſent occaſion to draw money from his parliament, on pretence of providing for the ſafety of the nation. For that was all he had yet obliged himſelf to, though the commons imagined, he was ready to come into their meaſures, as ſoon as he ſhould be aſſured of a ſupply. The vigour with which the commons acted, was owing to the progreſs of Lewis in the Netherlands and on the Rhine, while Charles, plunged in pleaſures, remained unconcerned, and by his conduct effectually deſtroyed the principles eſtabliſhed by his chancellor, that it was impoſſible for the king and kingdom to have oppoſite intereſts. The 17th of March, the king of France took Valenciennes, and beſieged Cambray, while St. Omer was inveſted by the duke of Orleans. Cambray coſt him but ſeven days, and while he beſieged the citadel, the prince of Orange marched to the relief of St. Omer, and was overcome by the duke of Orleans at Montcaſſel. After this defeat, the citadel of Cambray, and St. Omer, ſurrendered by capitulation, about the 20th of April. By this means the Spaniſh Netherlands were open on all ſides, and could be preſerved but by the aſſiſtance of England. This was clearly ſeen by the commons, and excited The king's management. Echard, III. p. 422. Towns taken by the French. Prince of Orange loſes a battle. Temple's mem. Baſnage, II. p. 807. Burnet.

[w] Alſo an act for the better obſervation of the Lord's day. And another for confirming and perpetuating augmentations, made by eccleſiaſtical perſons, to ſmall vicarages and curacies,

1677. their endeavours to awaken the king out of his affected lethargy. The king knew the danger as well as, or better than, his parliament. But, contrary to the maxim of his chancellor, the kingdom's danger was not his. The more powerful the king of France rendered himſelf, the greater was his private advantage, becauſe it was by the aſſiſtance of France, that he pretended to enſlave his own kingdom. Let a man ſtudy never ſo much to find plauſible reaſons for the king's conduct and negligence, with regard to the Netherlands and the growing power of France, he will find none, without ſuppoſing what I have ſaid concerning the king's deſigns. The Spaniards, and Dutch, the emperor and the princes of Germany, all reaſoned wrong. They ſuppoſed, that Charles would not ſuffer the Netherlands to be loſt, becauſe it was the intereſt of England to preſerve them, and were miſtaken in imagining, the king would be influenced by the good of his kingdom. But he had a particular intereſt directly contrary to that of England, namely, his own, which he blindly purſued. He would have ſeen the laſt town of the Spaniſh Netherlands loſt without being moved. Nevertheleſs, as it was alſo his intereſt not to diſcover his deſigns before the time, for fear of alarming the Engliſh, and engaging the parliament in other meaſures, he pretended to approve of their views. But this was only to obtain a ſupply, without promiſing however any thing but to make preparations, which properly was obliging himſelf to nothing at all. Such was the king's conduct in this whole affair, as will appear ſtill more plainly in the ſequel.

Charles finds his advantage in the French conqueſts.

Temple.

The king's conduct.

Echard, III. p. 424.

The parliament meeting the 21ſt of May, by the king's proclamation of ſummons, after an adjournment of near five weeks, the commons believed the king had ſpent this interval in making the alliances they had deſired, and that he would communicate to them what had been done. But the king only told them, by ſecretary Coventry, that he expected the houſe would forthwith proceed to the money bill, and the rather, becauſe he intended there ſhould be a receſs very quickly. This meſſage occaſioned warm debates in the houſe. They were inclined to give the king the ſix hundred thouſand pounds he had aſked, but were willing to have ſomething for their money, whereas the king was for being ſure of the ſupply before he proceeded in what was deſired by the commons. Their diſtruſt was not very honourable to him, but it was his fault, becauſe he had given ſo many occaſions for it, and therefore he could not think it ſtrange. He made it however ſubſervient to his deſign, and pretended

The king preſſes the money bill;

diſtruſted by the commons.

in

in his turn to fear, that the commons intended to engage him in a war with France, and then leave him to extricate himſelf as well as he could, without granting the neceſſary aſſiſtance to ſupport it. On this pretence he ſent for the commons to Whitehall, and made then the following ſpeech: 1677.

The king's ſpeech to the commons. Id. p. 425.

"Gentlemen, I have ſent for you hither, that I might "prevent thoſe miſtakes and diſtruſts, which I find ſome are "ready to make, as if I had called you together only to get "money from you, for other uſes than you would have it "employed. I do aſſure you on the word of a king, that "you ſhall not repent any truſt you repoſe in me, for the "ſafety of my kingdoms, and I deſire you to believe, I "would not break my credit with you; but as I have al-"ready told you, That it will not be poſſible for me to ſpeak "or act thoſe things which ſhould anſwer the ends of your "ſeveral addreſſes, without expoſing my kingdoms to much "greater dangers, ſo I declare to you again, I will neither "hazard my ſafety nor yours, until I be in a better con-"dition than I am able to put myſelf, both to defend my "ſubjects, and offend my enemies. I do farther aſſure "you, I have not loſt one day ſince your laſt meeting, in "doing all I could for your defence, and I tell you plainly, "it ſhall be your fault, and not mine, if your ſecurity be "not ſufficiently provided for."

Remarks upon this ſpeech.

As this ſpeech, under general and obſcure terms, perfectly anſwered the king's ſecret intentions, it is abſolutely neceſſary to make ſome remarks, in order to ſhow diſtinctly and plainly, both the king's intention and character.

Firſt, the commons had deſired the king to provide for the ſafety of his kingdoms, upon the foundation, that their ſafety depended on the preſervation of the Spaniſh Netherlands. But the king ſays not a word which may oblige him to the defence of the Netherlands, and contents himſelf with promiſing, upon his royal word, that he will provide for the ſafety of his kingdom; which general promiſe left him room to ſay afterwards, that whatever he had done was for the ſafety of his kingdom.

Secondly, he ſuppoſed, that in providing for this ſafety, his kingdoms would be expoſed to great dangers, unleſs he had the money beforehand, which was a groundleſs ſuppoſition.

Thirdly, he told them, he ought to be put in a better condition to defend his ſubjects, and offend his enemies. By this laſt expreſſion he inſinuated, that he would enter into a

1677. league offenſive againſt France, which was not his intention, as will hereafter plainly appear.

Fourthly, he told them, he had not loſt one day in doing all he could for their defence, which expreſſion ſignified nothing, ſince he had juſt told them, he could neither ſpeak nor act, before he had the demanded ſupply. In what therefore did his five weeks care conſiſt?

Fifthly, there is but one thing clear in this ſpeech, and that is, he would be ſure of the money before he began to act. By which he intimated to the commons, that he pretended to have as much reaſon to diſtruſt them, as they could have to diſtruſt him, though aſſuredly the caſe was very different.

Great debates amongſt the commons. Ibid.

This ſpeech occaſioned very great debates in the houſe of commons. The court party propoſed a ſpeedy grant of the deſired ſupply, to enable the king to make alliances, otherwiſe, they could not be expected to be made; and alledged, that the king had the ſame power of making war and leagues, as the houſe had in giving money; he could not have money without them, nor they alliances without him. The contrary party remarked, that nothing poſitive was promiſed by the king, except that he would provide for the ſafety of the kingdom, which might be explained ſeveral ways, without any aſſurance it ſhould be underſtood in the ſenſe of the commons. As for ſaying that the king would make alliances when he ſhould have the ſupply, the expreſſion was too general to hazard upon it a ſum of ſix hundred thouſand pounds. But if alliances were made forthwith, and declared to day, the ſix hundred thouſand pounds would be granted to morrow.

This laſt opinion prevailed, ſuch was the diſtruſt conceived of the king. So, the houſe reſolved to preſent an addreſs to the king, which ſhould oblige him to ſpeak more plainly, that they might know how to proceed. The ſubſtance of this addreſs was:

They addreſs the king. Echard, III. p. 426. Kennet. Burnet. R. Coke.

"It is a great affliction to us, to find ourſelves obliged to "declare againſt the granting the ſupply you are pleaſed to "demand, conceiving it not agreeable to the uſage of par- "liaments, to grant ſupplies for the maintenance of wars "and alliances, before they are ſignified in parliament; from "which uſage if we depart, the precedent might be of "dangerous conſequence in future times.——

"We humbly beſeech your majeſty to enter into a league "offenſive and defenſive with the ſtates general of the Uni- "ted Provinces, againſt the growth and power of the "French

" French king, and for the preſervation of the Spaniſh Ne- 1677.
" therlands, and to make ſuch other alliances with other
" ſuch of the confederates as you ſhall think fit and uſeful
" to that end.——

" Laſtly, they laid before him ſeveral reaſons to convince
" him, that, in this juncture, a war with France was abſo-
" lutely neceſſary, in order to oblige her to leave the reſt
" of Chriſtendom in repoſe, and promiſed to put him in a
" condition for a vigorous maintenance of the ſame."

Had the king really intended to ſtop the great progreſs of the king of France, this addreſs would have been more than inſufficient to engage him in a war with that prince, or at leaſt to have done ſomething to make him fear it. But as nothing was farther from his thoughts, he affected a diſtruſt of the commons, which he really had not. He had undertaken the firſt war againſt the ſtates, upon a like aſſurance without the leaſt heſitation. He had engaged in the ſecond war without even imparting his deſign to the parliament. But when a war with France was deſired, he pretended to fear from the commons, what he had not feared when a war with Holland was in queſtion; though it was manifeſt, this fear was entirely groundleſs. But any delay was to be uſed rather than oppoſe the progreſs of his good friend, and yet, he was unwilling to loſe the opportunity of procuring a ſupply from his parliament. The king continues to feign a diſtruſt of the commons.

The commons pretended by their laſt addreſs to oblige the king to give a clear anſwer. But they found themſelves miſtaken. The king receiving this addreſs the 26th of May, ſent, two days after, for the commons to Whitehall, and for anſwer ſharply reproved them for invading his prerogative, in requiring him to enter into a league offenſive and defenſive with the ſtates general. " Should I, ſaid he, ſuffer this
" fundamental power of making war and peace to be ſo far
" invaded, as to have the manner and circumſtances of
" leagues preſcribed to me by parliament, no prince or ſtate
" would any longer believe, that the ſovereignty of England
" reſts in the crown,——Wherefore you may reſt aſſured,
" that no condition ſhall make me depart from ſo eſſential a
" part of the monarchy." At the concluſion of this ſpeech he declared his pleaſure to them, that the houſe be adjourned till the 16th of July [x], telling them, he would give them Complains of the addreſs. Kennet, p. 342. Echard. R. Coke. Adjourns the parliament.

[x] They were adjourned by the ſpeaker, without the conſent of the houſe, or ſo much as his putting the queſtion, though ſir John Finch was, for the ſame thing, impeached of high treaſon in 1640. Kennet, p. 343.

notice

1677. notice by his proclamation when he intended they ſhould ſit again, which, he ſaid, would not be till winter, unleſs ſome extraordinary occaſion ſhould happen.

Nothing is a plainer demonſtration, how different the king's intereſts were from thoſe of his kingdom, than his conduct on this important occaſion. The commons believed it abſolutely neceſſary for the ſafety of the kingdom, to check the progreſs of the French king, and preſerve the Netherlands, and to that end, make alliances with the ſtates general and their confederates. This was a very evident truth. The king himſelf did not deny it, while there was hope of getting the ſix hundred thouſand pounds, demanded on pretence of putting himſelf in a condition to defend the kingdom, which ſhewed at leaſt that he believed it in danger. But when he ſaw the commons would not be ſatisfied with general promiſes, but required ſomething real, the neceſſity of putting the kingdom in a ſtate of defence vaniſhed at once. He adjourned the parliament for ſeveral months, without any notice of the danger with which the kingdom was threatened, though that danger ſubſiſted no leſs, than at the beginning of the ſeſſion. Thus the danger was preſſing to the kingdom, when it was no longer ſo to the king: a clear evidence that the king and parliament had different views and intereſts. So, on pretence of an attempt of the commons upon his prerogative, he took occaſion to order a long adjournment, which broke all the meaſures of the commons, and almoſt deſtroyed the hopes entertained by the allies, of aſſiſtance from England, which could not but be very advantageous to France. I do not think it poſſible to account for the king's conduct in a manner ſatisfactory to the impartial, without ſuppoſing that he expected aſſiſtance from France to make himſelf abſolute, and change the eſtabliſhed religion. On this ſuppoſition, inſtead of being concerned to ſtop the progreſs of France, it could not but be for his intereſt that ſhe ſhould become ſtill more powerful. Accordingly this was what he wiſhed, as all his proceedings manifeſtly ſhowed.

The king uſes his endeavours for a ſeparate peace. Temple's mem. p. 448, 450. Lett. p. 457.

We learn from ſir William Temple himſelf, that whilſt he was at Nimeguen as plenipotentiary mediator for a peace, he was ſent for to London by the king, on pretence of making him ſecretary of ſtate, but in reality to diſpatch him to the Hague, to endeavour to perſuade the prince of Orange to conſent to a ſeparate peace with France. But Temple declined a commiſſion which he had before tried to execute, without being able to ſucceed. This ſhows with what zeal

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the king endeavoured to ſerve France, which only wanted to divide the allies by ſuch an expedient. It is certain, the king of France, though till now ſuperior to his enemies, was little able longer to ſuſtain a war with almoſt all Europe united againſt him. It was therefore in the king of England's power to procure a juſt and reaſonable peace by declaring againſt France, as he was deſired by the parliament. But this could never be obtained of him. On the contrary, fearing to be forced to it at laſt by the clamour of his people, he ſecretly laboured to procure France an advantageous peace, by the diviſions of her enemies. 1677.

Sir William Temple having refuſed to be employed upon this errand, mr. Laurence Hyde was ſent to the Hague, to try to gain the ſtates and prince of Orange.

Project of a marriage of the prince of Orange with the princeſs Mary.

The king had the more hopes of prevailing with the prince, as there had been ſome time ſince a propoſal from him for his marriage with the princeſs Mary, eldeſt daughter to the duke of York; and as he did not doubt, that to ſucceed in that affair, the prince would grant every thing deſired of him concerning the ſeparate peace with France. It was for this end probably, that the king permitted the prince his nephew to come to his court, and ſollicit his affairs in perſon: but without any poſitive aſſurance that his addreſſes would be well received. The prince could not leave the army before the campaign was ended, and therefore arrived not in England till the 9th of October, when he landed at Harwich, and from thence went to the court. The king, the duke of York, the lord treaſurer, and ſir William Temple, were the only perſons informed of the motive of the prince's journey. The court, which was then at Newmarket, being returned to London, the prince had a ſight of the princeſs, and then demanded her in form of the king and duke of York, by whom his propoſal was differently received. The duke of York ſeemed very cold, and the king appeared to embrace it with joy: but it was on condition that he and the prince ſhould previouſly agree upon the terms of a general peace. This condition was like to render the prince's journey entirely fruitleſs. The prince was abſolutely againſt ſpeaking of a peace till after the marriage, and the king as reſolute to agree upon the plan of a peace before the marriage ſhould be concluded. They continued five or ſix days fixed to their reſolutions. The prince acquainted the king, by ſir William Temple, "That his allies, who were like to have hard terms of the peace, as "things then ſtood, would be apt to believe, that he had "made

Temple's lett. fol. p. 395, 396, 416.

The prince arrives in England.

Temple's mem. p. 454. Kennet. Echard. Burnet.

A difference between the king and prince.

Temple.

Memoirs, p. 454.

1677. "made his match at their coſt, and for his part he would "never ſell his honour for a wife." All this was not capable to divert the king from his reſolution, and the affair ſeemed upon the point of breaking off. But all was reconciled. Temple paying a viſit to the prince one night after ſupper, was told by him, "That he repented his coming "into England, and reſolved to be gone in two days, if "the king continued in his mind of treating upon the peace "before he was married; but that before he went, the "king muſt chuſe how they ſhould live hereafter; for he "was ſure it muſt be either like the greateſt friends, or the "greateſt enemies; and deſired ſir William to let his ma- "jeſty know ſo next morning, and give him account of "what he ſhould ſay upon it." Sir William, in diſcharge
p. 455. Octob. 23. of his commiſſion, repreſented to the king the ill conſequences of a breach with the prince, conſidering the ill humours of ſo many of his ſubjects on account of his engagements with France, and the invitation made the prince by ſeveral of them during the late war. The king having heard him
The king yields, and with great attention, anſwered. "I never yet was deceived "in judging a man's honeſty by his looks,——and if I am "not deceived in the prince's face, he is the honeſteſt man "in the world; and I will truſt him, and he ſhall have "his wife, and you ſhall go immediately and tell my bro- "ther ſo, and that it is a thing I am reſolved on." The duke of York appeared at firſt a little ſurprized, but however anſwered, the king ſhould be obeyed, that he ſhould be glad his ſubjects would learn from him the obedience which they owed to their ſovereign,——adding, "I tell him my "opinion very freely upon any thing, but when that is done, "and I know his pleaſure upon it, I obey him." Immediately after ſir William waited on the prince with the agreeable news. The ſame day, the marriage articles were
the marriage is concluded and conſummated. drawn and agreed, the princeſs's portion being forty thouſand pound ſterling, and the day after the king declared the marriage in full council [y]. The city of London teſtified an extraordinary joy at the news, and ſir Francis Chaplin the lord
Octob. 14. Temple. Burnet. Kennet. Echard.

[y] The French ambaſſador, and lord Arlington, appeared the only two perſons upſtarted upon it at court; the firſt, not knowing how he ſhould anſwer it to his maſter, that an affair of that importance ſhould paſs without his communication, much leſs advice, in a court where nothing had been done ſo, for many years; and the lord Arlington, that it ſhould paſs without his knowledge, who ſtill endeavoured to keep up the court opinion of his confidence with the prince. Temple's mem. p. 455.

mayor

mayor invited the king to a magnificent entertainment the 29th of October. The marriage was conſummated on the prince's birth day, the 4th of November [z]. 1677.

A few days after, the king, the duke of York, the prince of Orange, the lord treaſurer, and ſir William Temple, entered into conference for ſettling the ſcheme of a general peace, and after ſome debates, agreed upon theſe terms: "All ſhould be reſtored by France to the emperor, that had "been taken from him in the war, the duchy of Lorrain "to that duke, and all on both ſides between France and "Holland: and to Spain, the towns of Aeth, Charleroy, "Oudenard, Courtray, Tournay, Conde, Valenciennes, "St. Guillain, and Binch. That the prince of Orange "ſhould endeavour to procure the conſent of Spain; and "the king that of France, for which purpoſe he ſhould "ſend ſome perſon immediately over with the propoſition, "who was to demand a poſitive anſwer in two days." The lord Duras, afterwards earl of Feverſham, a creature of the duke of York, was the perſon fixed upon to execute this commiſſion. A plan for a general peace agreed upon. Temple's mem. P. 455, 456.

The prince and princeſs of Orange embarked for Holland ſhortly after. The king poſitively aſſured the prince, he would never depart from the ſcheme agreed upon for a general peace, and that if France refuſed her conſent, he would delare war againſt her. And yet, the prince had the mortification before his departure, to ſee the adjourn- The prince returns for Holland. Burnet. Kennet. The adjournment prolonged.

z Burnet, in his account of this matter, ſays that the lord treaſurer Danby ſeeing his ruin was inevitable, if he could not bring the king off from a French intereſt, gave the prince of Orange, by ſir William Temple, great hopes of a marriage with the duke's daughter, and got the prince to aſk the king's leave to come over to England. When the prince, after a fruitleſs ſtay for ſome weeks, was going away, the lord Danby preſſed his ſtaying a few days longer, and that the management of the matter might be left to him. So, next morning, he came to the king, and told him, he had received letters from all his majeſty's beſt friends in England, and ſhewed him a bundle of them, which he was ſure the king would not trouble himſelf to read. They all agreed, he ſaid, that the king ſhould make a marriage between the prince of Orange and the duke's daughter. If not, the parliament would certainly addreſs for it, and ſo the king would loſe the thanks of it. Whereas, if the king did it of his own motion, he would have the honour of it. Having enforced the thing with all the arguments he could, the king was convinced, and ſent for the duke, who obeyed the king's pleaſure. Danby ſo ordered the matter, that the ducheſs of Portſmouth could not ſpeak with the king, before he had declared the matter in council, p. 409, 410.

ment

1677. ment of the parliament prolonged from the 3d of December to the 4th of April [a].

The king is gained by France. Temple's mem. p. 457.

The court of France were extremely ſurprized, as well with the ſcheme of the peace, as the manner in which it was pretended to impoſe it on them. But whether the lord Duras had ſecret orders to give hopes, that the ſcheme might be altered, or it was not deſpaired to gain the king of England, the envoy, after ſtaying ſome days beyond his commiſſion, returned without an anſwer, or at leaſt with an anſwer of no ſignification. It contained only, "that the "moſt chriſtian king hoped, his brother would not break "with him upon one or two towns, to which England "had no pretenſion, but however, he would ſend orders "to his ambaſſador at London, to treat with his majeſty "himſelf." It is known, the king of France offered mr. Montague, the Engliſh ambaſſador, large ſums for the king and the treaſurer, which were not accepted, at leaſt openly; but on the other hand, the king ſuffered himſelf to be ſo mollified by the offers or articles of France, that the ſcheme of peace agreed on with the prince of Orange, was at laſt reduced to nothing, and no more heard of.

Danby's lett.

The plan for a peace is forgot.

Secret negotiations with France. Danby's lett.

From the lord Duras's return to the meeting of the parliament, the king was actually negotiating with the king of France, the terms on which he was to reſiſt the ſollicitations of his parliament, and prevent his declaring for the allies. This appeared openly in the parliament itſelf, by the letters of the lord treaſurer Danby, produced before the commons in 1678, by mr. Montague ambaſſador at the French court; and ſince that, a fuller conviction has been given of this by mr. Montague's letters, publiſhed by the earl of Danby, in the reign of William III. I ſhall tranſcribe the extracts of theſe letters, that the reader may be ſatisfied of what I ſay, without relying on my word. But

[a] The prince and princeſs were hurried out of town ſo faſt, (there being a ſecret deſign to invite them to an entertainment in the city by the country party, which the court did not like,) that they had ſcarce time to make proviſion for their journey. Being come to Canterbury, they repaired to an inn, where, through haſte they came very meanly provided. Upon application to borrow money of the corporation, the mayor and his brethren, upon grave deliberation, were really afraid to lend them any. Dr. Tillotſon, then dean of Canterbury, hearing of this, immediately got together what plate and money he could, and went to the inn to mr. Bentick, with the offer of what he had. This was highly acceptable to the prince and princeſs, and the dean was carried to wait upon them. By this lucky accident, he began that acquaintance and correſpondence with the prince and mr. Bentick, as advanced him afterwards to the archbiſhoprick.

I am

I am to premiſe, that the king, after prolonging the adjournment to April 1678, thought proper to aſſemble the parliament, the 15th of January, and as ſoon as they met, to adjourn the commons, by a meſſage, to the 28th of the ſame month. The letters I mentioned were as follows: 1677.

Extract of a letter from mr. Montague to the king from Paris, in the year 1677.

——I Am ſure the greatneſs of the king of France is ſupported only by your majeſty's connivance at what he does, and the good will Chriſtendom ſees you have for him. The advantage he has by it even in point of revenue, by his conqueſts, does amount to five times the ſum you have now from him: and though after-games are hard to play, I think I underſtand this court ſo well, and if you care to have it done, I am confident I could get you by agreement a million of livres a year to be paid while the war ſhall laſt, and four millions after the peace ſhall be made, I mean, ſir, over and above what you have from France now.——

Extract of a letter from mr. Montague to the lord treaſurer Danby, writ a little after the former.

I Expect his chriſtian majeſty's anſwer to the demands I made by the king's direction of two hundred thouſand pounds ſterling, to be paid till the general peace is concluded, taking for granted that it will be conform to my orders from the king, to inſiſt upon two millions of livres a year during the war, and four millions after the peace, or elſe two hundred thouſand pounds ſterling during the war. But I am told this morning, that mr. Courtin has agreed this matter with the king my maſter, and that his majeſty will be contented with two millions of livres a year only during the war; which I confeſs ſurprized me extremely, conſidering the neceſſity of his majeſty's condition, and the poſitiveneſs of his commands to me, to inſiſt upon two hundred thouſand pounds ſterling, which I had done very effectually, and muſt have ſucceeded in, conſidering the reaſonableneſs of the demand, except the generoſity of the king our maſter's nature, who values money ſo little, has already condeſcended to the leſſer ſum of two millions of livres, &c.

Extract

1677. Extract of a letter from the lord treaſurer Danby to mr. Montague, ambaſſador in France, the 17th of January 1677-8.

——YEſterday young Ruvigny came to me with mr. Barillon (having given me his father's letters the day before) and diſcourſed much upon the confidence the French king hath of the firmneſs of ours to him: of the good opinion his maſter hath of me; of his king's reſolution to condeſcend to any thing, that is not infamous to him, for the ſatisfaction of our king; how certainly our king may depend upon all aſſiſtances and ſupplies from his maſter, in caſe the friendſhip be preſerved——The main of their drift was to engage me to prevail with the prince of Orange as to the town of Tournay——The king muſt come to ſome declaration of his mind to the parliament when it meets. That which makes the hopes of peace leſs probable, is, that the duke grows every day leſs inclined to it, and has created a greater indifferency in the king than I could have imagined; which being added to the French king's reſolutions, not to part with Tournay, does, I confeſs, make me deſpair of any accommodation. Nevertheleſs, I am aſſured that one principal cauſe of this adjournment for thirteen days, has been to find an expedient for the peace; and the effect hath hitherto been, that no body will now believe other than that the peace is already concluded between us and France.

Extract of another letter from the ſame hand to the ſame perſon, dated the 25th of March 1678.

——IN caſe the conditions of peace ſhall be accepted, the king expects to have ſix millions of livres a year for three years, from the time that this agreement ſhall be ſigned betwixt his majeſty and the king of France; becauſe it will probably be two or three years before the parliament will be in humour to give him any ſupplies after the making of any peace with France; and the ambaſſador here has always agreed to that ſum, but not for ſo long a time. If you find the peace will not be accepted, you are not to mention the money at all; and all poſſible care muſt be taken to have this whole negotiation as private as is poſſible, for fear of giving offence at home, where for the moſt part we hear in ten days after of any thing that is communicated to the French miniſters.——At the bottom of the letter were theſe words under the king's own hand——

This letter is writ by my order, C. R.

I ſhall

I ſhall make no remarks upon theſe letters, which plainly ſhew, with what ſincerity the king diſcharged the office of mediator, and how much he favoured France. The beſt excuſe for him is, that theſe ſecret proceedings and negotiations were only to get money. But when it is conſidered, that he would have received much more from his parliament, if he had purſued the paths of uprightneſs, and might have had more left of what the parliament would have granted him in one ſingle year, than he hoped to draw from France in three, a man can hardly forbear thinking, that his blind attachment to the intereſt of France was for hidden deſigns which it was not yet time to diſcover. And if it is ſaid, he took money from France, only to be freed from the trouble of applying to his parliament, this does but confirm that he intended to render himſelf abſolute [b]. 1677. Remarks upon the king's conduct.

The king had not prolonged the adjournment of the parliament to the 28th of January in order to find expedients for a general peace, as the treaſurer told Montague in his letter of the 26th of January, but to have time to receive the news of a league with Holland, which was indeed ſigned the 16th of January. This league was very far from anſwering the deſires of the parliament. It was properly but defenſive, to prevent the king of France from purſuing his conqueſts in the Netherlands. Nay, it may be eaſily judged, conſidering the king's ſtrict union with France, and the ſecret correſpondence between the two courts, whether he had any great deſire to go to war with the king of France, in order to oblige him to reſtore what he had taken. He believed nevertheleſs, that this league would be capable to impoſe upon the parliament, and therefore had deferred their meeting to receive the news of its concluſion. Supported by this league, which according to him, was to produce wonderful effects, he made the following ſpeech to both houſes, the 28th of January. 1677-8. The king concludes alliances with the ſtates. Temple.

My lords and gentlemen,

"WHEN we parted laſt, I told you, that before we "met again I would do that which ſhould be to "your ſatisfaction. I have accordingly made ſuch alli- The king's ſpeech. Kennet, p. 346. Echard.

[b] This year died, Gilbert Sheldon, archbiſhop of Canterbury; Theophilus Gale, author of the court of the Gentiles; Robert Sheringham, who writ a treatiſe, de Anglorum gentis origine; and James Harrington, Eſq; author of the Oceana.

1677-8. "ances with Holland, as are for the preſervation of Flan-
"ders, and which cannot fail of that end, unleſs prevent-
"ed either by the want of due aſſiſtances to ſupport thoſe
"alliances, or by the ſmall regard the Spaniards themſelves
"muſt have to their own preſervation. The firſt of theſe
"I cannot ſuſpect, by reaſon of your repeated engagements
"to maintain them; and I know you are ſo wiſe as to
"conſider, that a war which muſt be the neceſſary conſe-
"quence of them, ought neither to be proſecuted by halves,
"nor to want ſuch aſſurances of perſeverance as may give
"me encouragement to purſue it: beſides it will not be
"leſs neceſſary to let our enemies have ſuch a proſpect of
"our reſolutions, as may let them ſee certainly that we
"ſhall not be weary of our arms, till Chriſtendom be re-
"ſtored to ſuch a peace, as ſhall not be in the power of
"any prince alone to diſturb.

"I do acknowledge to you, that I have uſed all the means
"poſſible by a mediation, to have procured an honourable
"and ſafe peace for Chriſtendom; knowing how preferable
"ſuch a peace would have been to any war, and eſpecially
"to this kingdom, which muſt neceſſarily own the vaſt
"benefits it has received by peace, while its neighbours
"only have yet ſmarted by the war; but finding it no
"longer to be hoped for by fair means, it ſhall not be my
"fault if that be not obtained by force which cannot be had
"any other ways. For this reaſon, I have recalled my
"troops from France, and have conſidered, that although
"the Dutch ſhall do their parts, we cannot have leſs on
"ours than ninety ſail of capital ſhips conſtantly main-
"tained, nor leſs than thirty or forty thouſand landmen
"(with their dependencies) to be employed upon our
"fleets and elſewhere. And becauſe there ſhall be no fear
"of miſ-employing what you ſhall give to theſe uſes, I
"am contented that ſuch money be appropriated to thoſe
"ends as ſtrictly as you can deſire. I have given teſtimony
"enough of my care in that kind, by the progreſs I have
"made in building the new ſhips; wherein, for the mak-
"ing them more uſeful, I have directed ſuch larger di-
"menſions as will coſt me above one hundred thouſand
"pounds more than the act allows. I have gone as far
"as I could in repairing the old fleet, and in buying ne-
"ceſſary ſtores for the navy and ordnance: and in this and
"other proviſions for better ſecuring both my foreign plan-
"tations and the iſlands nearer home, I have expended
"a great deal more than the two hundred thouſand pounds

"you enabled me to borrow upon the exciſe, although 1677-8.
"I have not found ſuch credit as I expected upon that
"ſecurity. I have borne the charge both of a rebellion in
"Virginia, and a new war with Algiers: I ſtand engaged
"to the prince of Orange for my niece's portion, and I ſhall
"not be able to maintain my conſtant neceſſary eſtabliſh-
"ments, unleſs the new impoſts upon wine, &c. be con-
"tinued to me, which would otherways turn only to their
"profit to whom we leaſt intend it.

"I hope theſe things will need little recommendation to
"you, when you conſider your promiſes in ſome, and the
"neceſſity of the reſt; and to let you ſee, that I have not
"only employed my time and treaſure for your ſafety, but
"done all I could to remove all ſorts of jealouſies, I have
"married my niece to the prince of Orange, by which I
"hope I have given full aſſurances, that I ſhall never ſuf-
"fer his intereſts to be ruined, if I can be aſſiſted, as I
"ought to be, to preſerve them. Having done all this, I
"expect from you a plentiful ſupply, ſuitable to ſuch great
"occaſions, whereon depends not only the honour, but,
"for ought I know, the being of the Engliſh nation, which
"will not be ſaved by finding fault afterwards, but may
"be prevented by avoiding the chief fault of doing weakly
"and by halves, what can only be hoped from a vigorous
"and thorough proſecution of what we undertake. Theſe
"conſiderations are of the greateſt importance that ever
"concerned this kingdom, and therefore I would have you
"enter immediately upon them, without ſuffering any other
"buſineſs whatſoever to divert you from bringing them to
"good reſolutions."

A remark on this ſpeech.

It is very ſtrange, that Charles II. with more extraordinary ſupplies than were ever granted to any king of England, with a revenue much larger than that of any of his predeceſſors, (which, by the calculation of the commons, amounted to ſixteen hundred thouſand pounds,) was nevertheleſs always in want and oppreſſed with debts, and in every ſpeech told his parliament, that he had expended for the publick, more than was granted him. He had however been engaged but in two wars, which he might have avoided if he had pleaſed, and ſaved his ſubjects ſeveral millions, fruitleſsly conſumed in theſe wars. But this is not the only reflection which may be made upon this ſpeech; there is another of much greater importance.

1677-8. The whole ſpeech was founded upon a ſuppoſition which naturally ought to have been true, but was not, namely, that his alliance with Holland could not fail to engage him in a war with France, though nothing was farther from his intention. His aim therefore was to repreſent his alliance with Holland and the war againſt France, as one and the ſame thing, or at leaſt the war as the neceſſary conſequence of this alliance, though he gave no poſitive hopes of the war. There was indeed a wide diſtance between the one and the other. For, if the parliament had granted the immenſe ſums he demanded, it is certain, he might have made peace when he pleaſed, without expending any of the money in preparations. He would only have had to declare againſt France, and peace would inſtantly have followed. For France was not in condition to reſiſt, if England had been ſincerely united with the reſt of her enemies. Herein the king threw the parliament into a great dilemma. For, either they were to grant him the large ſums he demanded, without having other hopes of a future war, than a conſequence not abſolutely neceſſary, or in refuſing the ſupply, they gave the king aplauſible pretence to ſay, it was not his fault, that England did not join with the enemies of France. But in the houſe of commons were men of ſufficient abilities to diſcover the king's artifices, and inſtruct their fellow members, wherein they ſucceeded the more eaſily, as above two thirds of the houſe were little inclined to truſt to the king's word.

The commons engaged in difficulties.

The commons addreſs the king. January 31. Kennet. Echard. Phillips.

It was therefore reſolved, after great debates, to preſent an addreſs to the king, the ſubſtance of which was,—— "That they beſought him not to admit of any treaty of "peace, whereby the French king ſhould be left in poſ- "ſeſſion of any greater dominion or power, than was left "him by the Pyrenean treaty: that no trade be admitted "with France, or any goods ſuffered to be imported from "thence, on pain of forfeiture, and when he ſhould be "pleaſed to communicate his alliances to them in par- "liament, they would give ſuch ready aſſiſtance, on "all occaſions, as might bring the war to a happy con- "cluſion."

This addreſs threw the king, in his turn, into a great perplexity. He would have it believed, that he intended to make war upon France, though he had already reſolved againſt it. He could not therefore anſwer this addreſs without a direct aſſent or diſſent, and this is what he was willing

ling to avoid. To extricate himſelf, he had recourſe to the ſame expedient he had formerly uſed. This was, to complain of the great invaſion of his prerogative, in thus preſcribing the methods he was to uſe, which at the ſame time he ſhowed to be ridiculous and impracticable. He ſaid, his ſpeech was to both houſes, and the return ought to be from both. That however, if, by their aſſiſtance, he was put into arms ſufficient for ſuch a work, he would never be weary, till Chriſtendom was reſtored to ſuch a peace, that it ſhould not be in the power of one prince to diſturb it: that the rights of making and managing war and peace, belonged ſolely to him, and they were miſtaken, if they thought he would ever depart from that right: that if the commons would encourage him to go further in alliances, they muſt conſider of raiſing ſpeedy ſupplies; for from the conſideration of thoſe he muſt take his meaſures. 1677-8. The king finds a way to elude it. Feb. 4. Kennet, p. 346. Echard, III. p. 441. J. Phillips.

The meaning of this anſwer was eaſily underſtood, namely, that the king ſtudiouſly avoided to ſay poſitively, he intended to declare war againſt France, though he wiſhed that conſequence to be drawn from his alliance with Holland: alliance, of which the contents were not known, and which was not yet imparted to the parliament. He pretended, however, that on his bare declaration or information of an alliance with Holland, the parliament ſhould enable him to maintain ninety large ſhips, beſides thirty others, and forty thouſand land forces [c]. And yet, when the articles of this treaty, ſhortly after, came to be known, the commons voted, that it was not purſuant to their deſires. It is eaſy to ſee, wherein the difference between the king and the commons conſiſted. The king feared, or feigned to fear, that the parliament, after engaging him in a war with France, would leave him deſtitute of means to ſupport it. The commons really diſtruſted his ſincerity, and feared, that, after receiving the money, he would think no more of war, but ſuffer an unſafe peace to be concluded. Let the reader determine for one or other. I ſhall only ſay, that, if the reigns of Henry III. and Richard II. are excepted, England had never ſeen, till within the laſt ſixty years, ſuch mutual diſtruſt between her kings and parliaments. It muſt be imputed The commons ſenſible of his artifices. A vote of the commons. Echard, III. p. 444. A reflection.

[c] In the debates about raiſing the land forces, ſir William Coventry was for hiring bodies of troops from the German princes, and for aſſiſting the Dutch with money. He thought, that which did more properly belong to England, was to ſet out a great fleet, and to cut off the French trade every where; for they were then very high in their manufactures and trade. Burnet, p. 411.

1677-8. to this, that James I. Charles I. and Charles II. were no ſlaves to their word, and while they pretended to ſalve their ſincerity by generals, reſtrictions, obſcure or ambiguous expreſſions, they loſt entirely the confidence of their ſubjects. Every king of England is in danger of being very unhappy, when, by ſuch artifices, he renders ſuſpected the ſincerity of what he ſays in full parliament.

However this be, the commons reſolved to grant the king a ſupply, but with ſtrict limitations. At the beginning of this ſeſſion, they had granted him ſeventy thouſand pounds, for a ſolemn funeral of his father, whoſe body could not be found, though it was certainly known to be interred in Windſor chapel. I don't know whether it was ever diſcovered, or the intended obſequies performed [d].

Ll. p. 441.

The earl of Shaftſbury diſcharged. Kennet. Echard.

The earl of Shaftſbury, after thirteen months confinement in the Tower, was at laſt diſcharged. But not till he had begged pardon on his knees at the bar of the lords houſe, as well for his fault as his obſtinacy in not acknowledging it [e].

Ghent and Ipres taken by the French. Temple's mem. Baſnage. Echard. Kennet.

While ſo much time was ſpent in England in deliberations about war, the king of France taking the field in February, made himſelf maſter of Ghent and Ipres in March, and then put his forces into quarters of refreſhment. Theſe conqueſts ſo alarmed the Dutch, that from this time they

[d] The truth of the matter ſeems to be this: that the king, either had great occaſion for that ſum of money, or thought he could put it to a better uſe, than laying it out on a ſolemn funeral for his father; and ſo never ſent to enquire for the body. For, that king Charles I. was actually buried at Windſor (though the lord Clarendon ſeems, at the end of his hiſtory, to doubt of it) and that his body might have been found without much difficulty, is plain from the following certificate, given by mr. John Sewell, regiſter at Windſor caſtle.—— "Anno "1696, Septemb. 21, the ſame vault "in which king Charles I. was buried, was opened, to lay in a ſtillborn child of the then princeſs of "Denmark, the late queen Anne. On "the king's coffin the velvet pall was "ſtrong and ſound, and there was about the coffin a leaden band, with "this inſcription cut through it, KING "CHARLES, 1648. —— When the "body of king Charles I. lay in ſtate "in the dean's hall, the duke of "Richmond had the coffin opened, "and was ſatisfied that it was the "king's body. This ſeveral people "have declared they knew to be true, "who were alive, and then preſent, "as mr. Randolph of New Windſor, "and others." Echard, tom. II. p. 649.

[e] He had, it ſeems, had recourſe to the king's bench, whither he was brought by a habeas corpus; but the judges denied his redreſs. This application to an inferior court was ſoon taken notice of by the lords, who voted it a breach of privilege, for which the earl was to anſwer his contempt at the bar of the houſe. He was accordingly brought to the bar, where he offered to acknowledge his aſſerting the diſſolution of the parliament to be an unadviſed action, and to beg their lordſhips pardon for his offence, in bringing his habeas corpus. Which being done in a form preſcribed by the houſe, he was releaſed. Idem. p. 442.

reſolved

resolved upon a separate peace, though they durst not publickly own it. Lewis XIV. who knew their intentions, and had nothing to fear from England, began to talk like a conqueror, and to form himself the plan of the peace he was willing to grant the allies, and which was different from that agreed on between Charles and the prince of Orange. 1677-8.

On the other hand, the commons of England alarmed at the progress of the French arms, made haste to finish a bill for raising money by a poll tax. The 14th of March they resolved upon an address to the king, to pray him to declare war against France, to dismiss the ambassador of that crown, and recall his own from Paris, with a promise of the necessary and plentiful supplies. This address was sent the next day to the lords for their concurrence: but, before an answer was given, the king came to the house of lords the 20th of March, and after passing the poll bill [f], and some others, adjourned the parliament to the 11th of April. Temple's mem. Kennet. Echard, III. p. 443. An address gives the king occasion to adjourn the parliament.

It is remarkable that five days after, the lord treasurer writ the second of the forementioned letters to ambassador Montague, concerning the secret negotiation of which I have spoken. Acts passed.

The parliament meeting the 11th of April was farther adjourned to the 29th, when the chancellor acquainted the two houses, that the king had discovered that the Dutch were thinking of a separate peace without his consent or privity, and desired their advice how to proceed. The commons gave their advice for an actual war with France, and at the same time voted, "That the late leagues made with "the states general of the United Provinces, were not "pursuant to the addresses of the house, nor consistent with "the good and safety of the kingdom." The king returned an answer, which testified his resentment of this vote. But the commons, not at all discouraged, presented a second address, in which——"They besought him to com-"municate to them his resolutions upon their advice."—— They added, "That the inconveniencies and dangers which "the kingdom lay under, might have been totally, or in a "great measure prevented, in case his majesty had accepted "of the advice by them given in their address of the 26th 1678. The king asks the advice of the two houses. Temple's mem. Echard. May 4. The advice of the commons displeases him. A second address. Echard, III. p. 445. J. Phillips.

[f] In the poll bill there was one strict appropriating clause for the money so levied, to be applied to no use but the intended French war; and also another clause, prohibiting the importation of any French commodities for three years. Idem, p. 444.

1678. "of May laſt, and the 31ſt of January: they beſought him "therefore, that he would be pleaſed to remove thoſe coun- "ſellors that adviſed him to give thoſe anſwers which he did "to the ſaid addreſſes.—In fine, that he would be pleaſed "to remove the duke of Lauderdale from his preſence and "council."—The king immediately anſwered, "That he "was much ſurprized at the extravagancy of their addreſs, "and unwilling at preſent to give it ſuch a due anſwer as it "deſerved." Two days after, namely, the 13th of May, he prorogued the parliament to the 23d of the ſame month. Thus the propoſal for a war with France never failed to produce either an adjournment or a prorogation. It muſt be remarked, that this was at the very time, the ſeparate peace between France and Holland was negotiating, which the Dutch would never have reſolved, could they have believed that England would declare for a war. Nevertheleſs, the king would ſtill have it believed, he was diſpoſed to war, though hitherto he had not poſitively ſaid it. To this end, immediately after the poll bill had paſſed, he raiſed thirty thouſand men, who were compleated in ſix weeks.

The king's angry anſwer.

He prorogues the parliament.

Temple's mem. Burnet. Kennet.

Echard, III. p. 455.

While theſe forces were raiſing, and before the prorogation of the parliament, the ſtates general ſent Van Lewen to the king, to acquaint him, that they were diſpoſed to a peace, becauſe they ſaw, there was no reliance on the uncertain meaſures of England. That however, if the king would immediately declare war againſt France, they would break off all negotiations, and vigorouſly proſecute the war purſuant to their alliances, and that his declaration was the only thing that could prevent a peace. This was declared to the king by ſir William Temple from the ſtates ambaſſador. The king now finding that a poſitive anſwer was to be returned, which he had hitherto avoided, told ſir William Temple, "That ſince the Dutch would have a "peace upon the French terms, and France offered money "for his conſent to what he could not help, he did not "know why he ſhould not get the money."

An embaſſy from the ſtates, to acquaint the king, that he might yet prevent the peace.

Temple's mem. p. 460, 461.

The king reſolves to accept the money offered by France.

The weakneſs of this evaſion is manifeſt: for though the ambaſſador of the ſtates had declared, there ſhould be no peace, if the king would really engage in a war, the king, ſuppreſſing this poſitive declaration, ſuppoſed that the ſtates were for a peace upon any terms. Upon this falſe ſuppoſition, he ordered ſir William Temple to treat with Barillon the French ambaſſador; but ſir William wiſely declined ſuch a negotiation. What Temple refuſed was undertaken by

A treaty negotiated at London between Charles and Lewis.

by others, and the ſame author ſays, that amongſt the articles propoſed by the ambaſſador of France, for concluding a private treaty with the king, there was one article which was ſo offenſive, that the king aſſured him he would never forget it while he lived. He ſays no more, whether becauſe he was not informed of it, or did not think proper to divulge what he knew. But dr. Swift, who publiſhed ſir William Temple's letters, acquaints us with that remarkable paſſage, namely, "That France, in order to break the "force of the confederacy, and elude all juſt conditions of "a general peace, reſolved by any means to enter into ſe-"parate meaſures with Holland, to which end it was abſo-"lutely neceſſary to gain the good offices of the king of "England, who was looked upon as the maſter of the "peace whenever he pleaſed. The bargain was ſtruck "for either three or four hundred thouſand pounds: but "when all was agreed, mr. Barillon, the French ambaſ-"ſador, told the king, that he had orders from his maſter "before payment to add a private article, by which his "majeſty ſhould be engaged, never to keep above eight "thouſand men of ſtanding troops in his three kingdoms. "This unexpected propoſal put the king in a rage, and "made him ſay, God's fiſh! Does my brother of France "think to ſerve me thus? Are all his promiſes to make "me abſolute maſter of my realms come to this? Or "does he think that a thing to be done with eight thouſand "men?" 1678.

Temple's lett. fol. p. 464.

Hence it evidently appears, for what the thirty thouſand men the king was raiſing were intended. They could not be levied for a war againſt France, though the king uſed that pretence, ſince he had already made his bargain with that crown for four millions of livres. Nothing elſe therefore can be thought, but that the king ſeeing the peace upon the point of concluſion, which he only could, but would not prevent, imagined that after the peace, the king of France would aſſiſt him to become abſolute maſter in his kingdoms, and furniſh him with money to maintain the thirty-thouſand men without his applying to the parliament. If this be not ſo, what account can be given of his conduct in raiſing an army, at a time when all his proceedings ſhowed, he had not the leaſt deſire to make war upon France?

The apparent deſign of Charles from this treaty.

The king was deceived by the promiſes of Lewis XIV. who artfully took advantage of the eager deſire of Charles and the duke his brother to eſtabliſh an abſolute govern-

He is abuſed by the king of France.

ment

1678. ment in England, to engage them in all the meaſures they had taken during the whole war, and which were ſo directly contrary to the intereſts of the kingdom. But when he ſaw himſelf ſecure of a peace with the Dutch, and, by a neceſſary conſequence, of a general peace with all Europe, he made a jeſt of his promiſe to his friend. He thought, doubtleſs, it was not for the intereſt of France, that the king of England ſhould be abſolute, or rather, he feared to engage, for the ſole intereſts of the king of England, in an undertaking capable of kindling a new war, in which all Europe might be concerned.

I know not whether the king conſented to Lewis's demands, and am only ſure, that he continued his levies, whether with intention to execute his deſigns without the aſſiſtance of France, or in the hope of obtaining better conditions from Lewis, by terrifying him with the apprehenſion of his joining with the allies, which might ſtill be practicable. By degrees, he ſpoke more gently of war, and ſufficiently declared his inclination for peace. In all appearance, he had adjuſted matters with France.

The parliament ſits. Kennet. Echard.

Affairs were in this ſituation when the parliament met the 23d of May, after a prorogation of ten days. The king opened the ſeventeenth ſeſſion of this long parliament with a ſpeech the ſubſtance of which was as follows,

The king's ſpeech.

" ———I am reſolved, as far as I am able, to ſave Flanders, either by a war or a peace, which way ſoever I " ſhall find moſt conducing towards it.———If I were able " I would keep up my army and my navy at ſea for ſome " time; but I leave it to you to conſider of ſupplies for " their continuance or diſbanding; and in either caſe not to " diſcourage ſo many worthy and brave gentlemen, who " have offered their lives and ſervice to their country, and " in purſuit of your own advices and reſolutions. I muſt " tell you, that a branch of my revenue is now expiring, " and another part of it is cut off by a clauſe in the poll " bill; that I have borrowed two hundred thouſand pounds " upon the exciſe at your requeſt, of all which you are to " conſider. I never had any intentions but of good to you " and my people, nor ever ſhall; therefore I deſire you will " not drive me into extremities, which muſt end ill both for " you and me, and (which is worſt) for the nation. I de- " ſire to prevent all diſorders or miſchief that may befall by " our diſagreement; but in caſe there do, I leave it to God " Almighty to judge who is the occaſion of it. One thing " more I have to add, and that is, that I will never more " ſuffer

" ſuffer the courſe and method of paſſing laws to be changed, 1678.
" by tacking together ſeveral matters in one bill. The reſt
" I leave to the lord chancellor."

The chancellor's ſpeech, according to cuſtom, tended to excuſe the king's meaſures. As he only enlarged upon what the king had ſaid more ſuccinctly, I think it needleſs to inſert the ſpeech, which offered nothing new or material.

The houſe of commons having adjourned themſelves for three days, met again the 27th of May, and came to the following reſolution; " That the houſe taking into conſi- A reſolution of the commons.
" deration the ſtate of the nation, and the expence occaſion-
" ed by the army, were humbly of opinion, that if his ma- Kennet.
" jeſty pleaſed to think fit to enter into the war againſt the Echard,
" French king, the houſe was, and would be always ready III. p. 450,
" to aſſiſt him in that war; but if otherwiſe, they would 451.
" proceed to the conſideration of providing for the ſpeedy
" diſbanding of the army."

The houſe further ordered, that the members of his ma- Communi-
jeſty's privy council ſhould acquaint the king with this vote, cated to the king.
and pray his ſpeedy anſwer. The king replied, " That the His anſwer.
" French king had made ſuch offers of a ceſſation till the
" 27th of July, that he believed they would not only be ac-
" cepted, but end in a general peace; yet, as that was un-
" certain, it would not be prudent to diſmiſs either fleet or
" army before that time." Upon this anſwer the houſe
voted. " That all forces raiſed ſince the 29th of Septem- A vote for
" ber laſt (except thoſe tranſported to foreign plantations) diſbanding
" be forthwith paid off and diſbanded, and that they would the army.
" conſider of a ſupply for that purpoſe." Accordingly the 4th of June the houſe voted two hundred thouſand pounds for the diſbanding of the army by the end of the month, and the next day they voted the ſame ſum towards defraying the expences of the fleet.

Upon theſe votes the king, by a meſſage, told the houſe, A meſſage
that his mind was ſtill the ſame, that the army and fleet from the king.
ought to be kept up till the expected peace ſhould be concluded; and he further recommended to their conſideration,
" Whether it were not diſhonourable for him to recall his
" forces in Flanders from thoſe towns which he had taken
" into his protection, before they could provide themſelves
" of other ſuccours." Upon this conſideration the commons extended the time, as to the forces in Flanders, to the 27th day of July.

The

1678. The 15th of June, the houſe reſolved, that, "after the "Tueſday following, no motions ſhould be made for any "new ſupplies of money, till after the next receſs." As hitherto the houſe had experienced, that the king only amuſed them, and intended to have the money before he poſitively declared himſelf, they reſolved to put him under a neceſſity of declaring, within three days, for fear he ſhould continue to amuſe them, till it was too late. Accordingly, on that very Tueſday the king came to the houſe of peers, and, ſending for the commons, told both houſes, "That the peace between France, Spain, and Holland, was almoſt "concluded, in which his part would be not only that of "mediator, but alſo to give his warrants in it. That Spain "writes word, that unleſs England bears the charge of "maintaining Flanders, even after the peace, they will not "be in a condition to ſupport it long. Therefore to that "end it was neceſſary to keep up the navy at ſea; and not "only ſo, but to give the world ſome aſſurance of being "well united at home: that though the houſe of commons "might think ſuch a peace as ill a bargain as a war, be"cauſe it would coſt them money, yet if they ſeriouſly "conſider, that Flanders had been loſt, and perhaps by "this time, he believed they would give much greater ſums "than that would coſt, rather than the ſingle town of Oſtend ſhould be in French hands, and forty of their men "of war in ſo good a haven, over againſt the river's mouth." Then he inſinuated to them, "That they could not but "be pleaſed to underſtand the reputation England had "gained abroad, by having in forty days, raiſed an army "of thirty thouſand men, and prepared a navy of ninety "men of war; therefore, if they deſired to keep up the "honour of the crown at home, and look to the ſafety of "the ballance of affairs abroad; if they deſired he ſhould "paſs any part of his life in quiet, and all the reſt in con"fidence and kindneſs with them, and other future parlia"ments, they muſt find a way not only to ſettle for his life "his revenue as at Chriſtmaſs laſt, but alſo to add a new fund "of three hundred thouſand pounds per annum, upon which "he would paſs an act to ſettle fifty thouſand pounds upon "the navy and ordnance; and ſhould be likewiſe ready to "conſent to all ſuch laws as they ſhould propoſe for the "good of the nation." He laſtly reminded them, "to ena"ble him to keep his word with the prince of Orange in "the payment of his niece's portion, which was forty "thouſand

A vote to grant no more money during the ſeſſion.

The king acquaints the houſes with the peace of Nimeguen. June 18. Echard, III. p. 451.

Demands money.

And an augmentation of his revenue. Burnet, p. 421.

"thouſand pounds; the firſt payment being now due, and "demanded by him." 1678.

Would not one think at reading this ſpeech, that the king had hitherto kept the ballance of Europe perfectly even, and was thereby entitled to demand, that he ſhould be enabled to preſerve it? Would not one think, that he had done the nation ſome important ſervice, which deſerved an augmentation to his revenue of three hundred thouſand pounds a year? But the commons were ſo uſed to ſuch ſpeeches, that they made no impreſſion upon them. If their diſtruſt of the king had been hitherto great, it may be affirmed, it conſiderably increaſed, when they ſaw a peace concluded, which diminiſhed not the great power of France, but left Europe expoſed to her mercy. It was evident, the king might, if he had pleaſed, have procured a more advantageous peace. After this, it is not ſtrange, that his ſtrict union with France, was ſuſpected to conceal deſigns which were not for the good of the nation. Accordingly, when the commons came to debate on the additional revenue demanded by the king, it was unanimouſly rejected [g]. Moreover, the houſe refuſed to give a compenſation for the loſs ſuſtained by the king in the prohibition of French commodities. In ſhort, the lords having paſſed the bill for diſbanding the army, with an enlargement of the time prefixed for one month longer, the commons abſolutely refuſed their conſent to the amendment. Echard. Burnet, III. p. 452.

The king perceiving by this, what he was to expect from the commons, came to the parliament the 15th of July, and paſſed ſeveral bills, of which theſe were the principal.

1. An act for granting a ſupply of ſix hundred and nineteen thouſand, three hundred and eighty pounds, for diſbanding the army, and other uſes therein mentioned. 2. An act for granting an additional duty to his majeſty upon wines for three years. 3. An act for burying in woollen. This act, which is ſtill in force, is very ſerviceable to the flannel manufacture, and conſequently makes a great conſumption of wool. Acts paſſed. Statute b.

Theſe acts being paſſed, the chancellor acquainted both houſes, that the king thought proper to prorogue them to The parliament prorogued. Kennet. Echard.

[g] It was ſaid, there was a demand for a revenue, which would furniſh the court ſo well, that there would be no more need of parliaments. The court party thought ſuch a gift as this would make them uſeleſs. So, the thing was upon one debate rejected without a diviſion. Burnet, p. 421.

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1678. the firſt of Auguſt, and ſo to keep them in call, by ſhort prorogations, but that his intention was, they ſhould not meet till winter, unleſs there was occaſion for their aſſembling ſooner. Thus ended the ſeventeenth ſeſſion of this parliament. And thus England ſaw herſelf engaged in an expence of ſix hundred thouſand pounds, to pay an army and fleet, which certainly had not been prepared to make war with France, or for the ſecurity of England.

A difficulty ſtarted, relating to the evacuation of ſome towns by the French. Temple's mem. p. 463. Burnet.

While the parliament was ſitting, the ſtates general ſeeing that nothing was to be hoped for from England, treated with France, both for themſelves and Spain, with regard to the Netherlands. At laſt, every thing being ſettled, and the king of France promiſing to reſtore to the Spaniards, Ghent, Aeth, Charleroy, Oudenard, Courtray, and Limburg, the ſtates ordered their plenipotentiaries at Nimeguen to ſign the peace the laſt of June. It was univerſally expected, that the peace would be ſigned that day. But as the time for this reſtitution had been neglected to be fixed (the Spaniards and Dutch, not doubting but it was to be immediately after the exchange of the ratifications) the Spaniſh ambaſſador happened the day before, to aſk the French plenipotentiaries, when they would reſtore the towns? To this they poſitively anſwered, that it would not be till after the reſtitution of the towns taken from the king of Sweden, by the allies in the north [h]. This unexpected pretenſion put a ſtop to the ſigning of the peace, and the Dutch plenipotentiaries received expreſs orders from their maſters not to ſign, unleſs France would engage to reſtore the ſix places, upon the ratification of the treaty. But the French were immoveable, and appeared reſolute to continue the war, unleſs Sweden was ſatisfied.

A league between Charles and the ſtates. Temple's mem. p. 464.

Charles being informed of this new difficulty, and told moreover by the French ambaſſador, that it was his maſter's intention, immediately ſent ſir William Temple to Holland, with full power to ſign a league with the ſtates, by which they ſhould be mutually bound to continue the war, in caſe France ſhould not agree to evacuate the ſix towns within ſuch a time. This league was really concluded and ſigned the 26th of July, to the great ſatisfaction of the prince of Orange, and thoſe who thought the peace very diſadvantageous.

h The king of Denmark, and the elector of Brandenburgh, who had beat the Swedes out of Germany. Burnet, p. 422.

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The readineſs with which this reſolution was taken by the king, much ſurprized thoſe who from his former proceedings had no great opinion of his ſincerity. But when it was ſeen that the league was concluded, and France continued obſtinate, it was hoped, the war would be renewed with more vigour than ever, and that England would incline the ballance to the ſide of the allies. It is difficult to diſcover the motive of the king's vigorous reſolution. Some have believed, he was really offended at the contempt France ſeemed to ſhow of his mediation, in ſtarting ſuch an incident. Others have thought, that foreſeeing France would at laſt comply, notwithſtanding her ſeeming reſolution, he had a mind to redeem his credit by his vigour with the Engliſh, who till then ſtrongly ſuſpected him of too cloſe a correſpondence with that crown. Others have judged, that he took this reſolution, in order to obtain a large ſupply from the parliament, not doubting but he ſhould be afterwards able to procure a peace. 1678.

However this be, it appeared ſhortly after, that the king repented of what he had done, and feared that his league would rekindle the war. At the time that the Dutch were preparing to improve this happy juncture, to break off the negotiation with France, and to riſe in their demands, one du Cros, an agent of Sweden at London brought an expreſs order from the king for ſir William Temple to repair immediately to Nimeguen, and uſe his utmoſt endeavours to perſuade the plenipotentiaries of Sweden to conſent to the evacuation of the ſix towns within a limited time. The king ordered him likewiſe to aſſure them, that after the peace he would uſe the moſt effectual endeavours he could, for the reſtitution of all the territories the Swedes had loſt in the war. It was not difficult for ſir William Temple to infer from hence, that the king had no inclination to quarrel with France. But he was ſtill more fully convinced, when he was informed from penſionary Fagel, that du Croſs had been with the ſtates deputies, and acquainted them with the order he had brought; that he had alſo ſaid, the terms of the peace were abſolutely agreed between the kings of France and England, and from ſome expreſſions he had heard the king uſe, intimated, it would be in vain to pretend to prevent it. As ſir William and the penſionary could not doubt that du Cros was ſent by the king, they concluded, either the king had changed his mind, or had never deſigned to enter into a war with France. Wherefore the ſtates, inſtead of forming new ſchemes,

Charles diſconcerts the meaſures of the ſtates. Id. p. 465. R. Coke.

1678. ſchemes, were contented with the plan already agreed on, with a reſolution however not to ſign the treaty till the reſtitution of the ſix towns was aſſured within ſuch a time [1].

Temple. Baſnage. Since the league had been concluded at the Hague, the king of France, to whom it was communicated, had uſed all poſſible artifices to elude, and bring it to a negotiation, with an offer to treat upon it, either at St. Quintin or Ghent. But the ſtates, on the contrary, had expreſly ordered their ambaſſadors to break off the negotiation, if the peace was not ſigned by ſuch a day, with the article of the evacuation of the towns in a limited time. Sir William Temple came to Nimeguen but three days before the expiration of the time fixed by the ſtates. On his arrival he found very little diſpoſition on either ſide towards ſigning the peace; the French and Dutch appeared equally inflexible, and the latter would not hear either of any negotiation or delay. At laſt came the critical day, the 11th of Auguſt, fixed by the treaty at the Hague, in the morning of which the French ambaſſadors deſiſted from their pretenſions, and the peace was ſigned before twelve that night. This gave France the deſired ſatisfaction of making a ſeparate peace with Holland, which was immediately followed by a peace between France and Spain, and ſome months after with all the confederate powers, except the duke of Lorrain, who could never obtain his re-eſtabliſhment. It may be affirmed with great truth, that the king of England might have procured Europe a more advantageous peace, ſince the parliament would have granted him the neceſſary ſupplies, if he had pleaſed to act agreeably to the intereſt of Europe in general, and of England in particular. His conduct can only be aſcribed to his deſire of executing the project of rendering himſelf abſolute, and introducing the popiſh religion in England, which he thought could not be accompliſhed without the aſſiſtance of France.

The peace ſigned.

Blockade of Mons. Temple. Baſnage. The league concluded between England and Holland, the 26th of July, had, as I ſaid, fixed the 11th of Auguſt for ſigning the peace. In this interval the king of France had by his general the duke of Luxemburgh blocked up Mons. All his artifices to draw the affair of the evacua-

[1] This affair of du Croſ: was tranſacted, one morning, in an hour's time, in the dutcheſs of Portſmouth's lodgings, where the orders were diſpatched by the invention and purſuit of monſieur Barillon, the French ambaſſador. Temple's mem. p. 466.

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tion into a negotiation, were only to gain time for Luxemburgh to become maſter of Mons before the peace was ſigned. But the Dutch being bent not to enter into treaty upon that affair, the French general had not time to make any great progreſs before that place. Mean while the prince of Orange being informed that peace was upon the point of being ſigned, and deſiring to diſtinguiſh himſelf by ſome great action, marched directly to the duke of Luxemburgh, ſurpriſed him, and gave him a conſiderable check [k]. This battle, called afterwards the battle of St. Denys, being fought the 14th of Auguſt, three days after the peace was ſigned, gave various opinions concerning this action of the prince of Orange. Some ſaid he knew not the peace was ſigned. Others pretended, the news was brought him by an expreſs, but not from the ſtates, and therefore he might improve the preſent advantages. However, with this action ended a war which had laſted ſix years, and was at firſt ſo fatal to Holland, that the republick ſaw itſelf on the brink of deſtruction. 1678.

Battle of St. Denys. Temple. Baſnage.

We are now come to the diſcovery of the famous conſpiracy known in England by the name of the popiſh plot, which makes one of the principal periods of this reign, and has given occaſion to many politicians, to exerciſe their talents, ſome in ſupporting the reality, others in expoſing the falſity of it. What I have been ſaying is ſufficient to demonſtrate the impoſſibility for any hiſtorian whatever, to pleaſe two ſorts of men, whoſe ſentiments are diametrically oppoſite, and who, through prejudice, religion, paſſion, and party intereſt are previouſly diſpoſed to believe or diſbelieve the popiſh plot. An hiſtorian is in vain impartial if his readers are not ſo. The courſe of this hiſtory engages me to ſpeak of this famous conſpiracy, on which depend all the events of the reſt of this reign. It may well be judged, that I do not expect to ſatisfy all the world: this I take to be an impoſſible thing. What therefore I propoſe is, to inform the reader of the conſpiracy itſelf, whether true or falſe, of the reaſons and proofs alledged in maintenance of the reality or falſhood, and to have the inward ſatisfaction of ſaying nothing but what I believe to be true.

Obſervations upon the popiſh plot.

[k] The prince of Orange, in this battle, was in great danger of being loſt, had not monſieur Ouwerkerk come to his relief, and killed a French captain that was juſt going to ſhoot him in the head. The duke of Monmouth, with ſome Engliſh and Scotch regiments, was in that battle. Upon news of the peace next day, the duke of Luxemburgh, with a great compliment, deſired an interview with the prince; and they met in the field. Baſnage, tom. II. p. 941.

1678. But before I proceed to the particulars, it is abſolutely neceſſary to clear ſome ambiguities which I have obſerved in the writers of both ſides, that the reader may be the better prepared to be upon his guard.

1. The word Plot in Engliſh, and Conſpiration in French, are always taken in a bad ſenſe. Their general ſignification is, a deſign, but an unlawful deſign to attempt ſomething againſt the perſon of the king or his miniſters, againſt the conſtitution of the government, againſt the eſtabliſhed religion, in ſhort a deſign bad in itſelf, wherein the publick is concerned, and for the execution whereof means and inſtruments are already prepared. But if any one maintains, there is nothing unlawful in a deſign to change a bad religion eſtabliſhed, in order to introduce a better; or if on ſuppoſition that a government was eſtabliſhed by force and violence, it is affirmed, there is nothing ill or unlawful in a deſign to reſtore it to its antient ſtate, it is plain, this will only be a diſpute about words. Thus the fact or deſign in itſelf may be allowed, which by ſome will be termed a plot, whilſt others will not give it that name. This has been the caſe with ſome authors who have ſpoken of the popiſh plot. They own there was a deſign to alter the form of the government, and ſubvert the proteſtant religion, and yet deny there was a plot.

2. This plot, true or falſe, contained three particular deſigns. 1. To kill the king. 2. To ſubvert the government. 3. To extirpate the proteſtant religion, and eſtabliſh popery [1]. Moſt of the writers inſtead of conſidering theſe three articles, as branches of one and the ſame plot, have affected to ſeparate them. Some have chiefly inſiſted upon the deſign of killing the king, and ſlightly touched upon the other two. They believed themſelves able to prove the falſhood of this deſign, and therefore concluded that there was no real plot. Others meeting with ſome improbabilities in the depoſitions of the witneſſes concerning the deſign of killing the king, have chiefly endeavoured to prove the two laſt articles, from whence they have inferred, there was a true and real plot. The reader

[1] The chief promoters and authors of this plot, were pope Innocent XI. cardinal Howard; Johannes Paulus de Oliva, general of the Jeſuits at Rome; Pedro Jeronymo de Cordoba, provincial of the Jeſuits in New-Caſtile; la Chaiſe, confeſſor to Lewis XIV. the provincial of the Jeſuits in England; the Benedictine monks at the Savoy; the Jeſuits and ſeminary prieſts in England, who were then in number about eighteen hundred; the lords Petre, Powis, Bellaſis, Arundel of Wardour, Stafford, and ſeveral perſons of quality. See Oates's narrat. H. Care, &c.

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must be upon his guard againſt theſe artifices which entirely alter the ſtate of the queſtion, and always remember, that the plot did not conſiſt in the ſingle deſign to kill the king, or in the ſingle deſign to ſubvert the government, or in that to change religion, but in all theſe three deſigns united together, and making but one and the ſame conſpiracy. 1678.

3. Thoſe who aſſert the reality of the plot, pretend, that the king, the duke of York, and ſome of the miniſters were the heads and contrivers, and give many proofs, ſome of which have already appeared in the tranſactions of this reign. The oppoſite party object, that it is a manifeſt contradiction to make the king author of a plot to take away his own life: that, beſides, conſpiracies of ſubjects againſt their ſovereigns have been common, but to accuſe a prince of a plot againſt his ſubjects is a thing never heard of. To theſe objections it is anſwered, that though the plot contained three articles, the two laſt only were eſſential, and of theſe the king was the head and contriver: that the article of killing the king, though placed firſt, was only conſequent to, and depending upon, the two others. That this was only the attempt of ſome of the conſpirators, who believed, there was no readier way to execute the plot, than by ſeating the duke of York upon the throne, who was leſs timorous and more active and daring than his brother. That therefore there is no contradiction in the ſuppoſition, that the king was the head and author of the two deſigns, of ſubverting the government, and changing religion; and that the other was carried on by ſome perſons without his privity, in order to advance the progreſs of the plot. That therefore the difficulty of this objection proceeds from the prepoſterous joining the three articles when they ought to be ſeparated, as on other occaſions they are ſeparated where they ought to be joined. As to the ſecond objection, that it is impoſſible a king ſhould plot againſt his ſubjects, it is drawn from the word plot, which is very rarely applicable to a ſovereign. But it is by no means impoſſible for a king of England, whoſe power is limited by law, to form a deſign of eſtabliſhing an arbitrary and deſpotick government, as appears in the examples of Edward II. Richard II. James I. and Charles I. Now a man may refuſe, if he pleaſes, to give to ſuch a deſign the name of a plot, provided he does but own the reality of the thing.

4. Laſtly, it will be proper to premiſe, that there are three opinions concerning the reality or falſhood of this plot. The firſt is of thoſe who believe it true in all its

1678. branches and circumſtances. The ſecond, of thoſe who believe it abſolutely falſe, and invented on purpoſe to exaſperate the people againſt the king and the duke of York. The third, of thoſe who believe it true with regard to the deſign of rendering the king abſolute, and altering religion, but doubtful with reſpect to the deſign of killing the king, and who after duly weighing the pro and con, think they ought to ſuſpend their judgment on this article. I thought it neceſſary to arm my readers with theſe few obſervations againſt the prejudices, they may have received in reading other hiſtorians, who ſcruple not, to diſguiſe and curtail the facts, to paſs over in ſilence ſuch as are diſadvantageous to them, to inſiſt and lay great ſtreſs upon others; to inſert in their relations many ſtories admitted by their party, but ſupported with no authority; to add numberleſs inſinuations founded only on their prejudices: in a word, to ſuppoſe continually what they have undertaken to prove. This would evidently appear in a diſputation in form, but is very eaſy to be done in a continued narrative, where the writer inſerts whatever he thinks proper.

Tonge diſcovers the plot to the king. Oates's narrat. Burnet. Echard.

The 12th of Auguſt, (the day after the ſigning of the treaty of Nimeguen) Dr. Ezrael Tonge, a London divine, applied himſelf to one Chriſtopher Kirkby[m], who had ſome intereſt at court, to tell the king, there was a plot againſt his perſon. Kirkby diſcharging his commiſſion the next day, whilſt the king was walking in St. James's Park, the king ordered him to bring Tonge to him at eight that evening. Tonge came to Whitehall at the appointed hour, and delivered to the king a writing or narrative, which in forty three articles, contained the particulars of a plot. The king, after looking over it ſuperficially, told Tonge, he was going to Windſor the next day, but would put the paper into the hands of the lord treaſurer, Danby, on whom he ordered him to wait the next morning.

Burnet, p. 425.

Accordingly on the 14th of Auguſt, Tonge waited on the treaſurer, who aſked him if the paper left with the king, was an original or copy. Tonge anſwered, it was a copy of a writing which had been thrown into his houſe without his knowledge: but fancied it was by a certain perſon who had often entertained him upon ſubjects of the like nature. Some days after Tonge returned to the treaſurer, and told him, he knew the man, who had even put into his hands another narrative larger than the former, which

[m] A chemiſt, that was ſometimes in the king's laboratory.

he

he delivered to the treaſurer. After the earl had looked over the paper, he aſked Tonge, whether he knew the two men ſpoken of in the narrative, as the perſons deſigned to kill the king, and went by the name of Honeſt William, and Pickering. Tonge anſwered, he knew them, that they walked frequently in the park, and if a truſty perſon was appointed to go with him, he doubted not but he ſhould have an opportunity of giving him a ſight of them in a very ſhort time. The treaſurer aſked, if he knew where they lodged, that they might be ſecured. Tonge anſwered he did not, but would endeavour to inform himſelf. 1678.

The treaſurer having given the king an account of what he had learned from Tonge, and of the contents of the two narratives, deſired him at the ſame time, that a warrant might be ſent for apprehending Honeſt William [n], and Pickering, and ſome other members of the council be informed of an affair which concerned his majeſty's life. But the king would neither ſuffer the two men to be apprehended, nor permit the earl to ſpeak of it to any perſon living, and particularly to the duke of York. who forbids the publication of it.

Some days after, Tonge ſent word to the lord treaſurer, that he knew where Honeſt William and Pickering lodged: he ſaid moreover, ſome of the intended aſſaſſins were to go within two days to Windſor; but that he would give notice of the time fixed for their journey, that they might be arreſted at their arrival. But ſome days after, he pretended, the journey had been prevented by an accident to one of their horſes. The king from thence concluded the whole to be a fiction, and though the truth might eaſily have been diſcovered, by apprehending the two men whoſe lodgings were known, he would never permit, either that they ſhould be apprehended, or the affair communicated to any member of the council, ſaying, "He ſhould alarm all England, and "put thoughts of killing him into people's heads who had "no ſuch thoughts before."

This reaſon being, as appears, very weak, it can only be inferred from the king's conduct, that he believed not the plot, or had ſome intereſt to ſhow he did not believe it.

Three days after, Tonge writ to the earl of Danby, that a packet of letters was to go to the poſt houſe in Windſor, directed to one Bedingfield a prieſt [o]. The packet came indeed, and Bedingfield, after reading the letters, carried Forged letters directed to Bedingfield, a popiſh prieſt. Burnet, p. 435. Echard,

[n] His true name was John Groves. Oates's narrat. p. 6.

[o] The duke of York's confeſſor. Ibid.

1678. them to the duke of York, telling him, "He feared some "ill was intended him by the ſaid packet, becauſe the letters therein ſeemed to be of a dangerous nature, and that "he was ſure they were not the hand writing of the perſons whoſe names were ſubſcribed to the letters [p]. The king being more confirmed in the belief that there was nothing real in the pretended plot, ſeemed reſolved not to permit the papers or informations received from Tonge to be produced. But the duke of York was ſo very earneſt to have the letters, directed to Bedingfield, examined by the council, that the king at laſt conſented, and gave the treaſurer leave to declare at the ſame time the intelligence received from Tonge, and ſo the affair became publick.

I have not hitherto mentioned the famous Titus Oates, principal actor in this play, becauſed having reſolved to advance nothing but what I believe exactly true, I did not think proper to adopt whatever has been ſaid concerning him and his ſecret conferences with dr. Tonge, of which not a ſingle voucher is produced. However, I think myſelf obliged briefly to relate, what has been advanced by others, though with no other certainty than their own teſtimony.

Account of Titus Oates. Echard, III. p. 461.

"Titus Oates was the ſon of a ribbon weaver, who afterwards turning anabaptiſt preacher, and being chaplain "to a regiment of Cromwell's forces in Scotland, was there "clapt up in priſon upon Overton's plot againſt that uſurper; but having the fortune to eſcape upon the king's "reſtoration, he conformed to the church, and got the living of Haſtings in Suſſex; where he continued till he "thought fit to return again to his former anabaptiſtical ſtation. This ſon of his had his firſt education in Merchant Taylor's ſchool in London, and next in the univerſity of Cambridge, where he was ſtudent in two colleges, Caius's and St. John's, and where he left no reputation behind him for his parts or learning; though he "ſeemed diſtinguiſhed for a tenacious memory; a plodding induſtry, and an unparalleled aſſurance, beſides a particular canting way that appeared in his academical exerciſes. "Removing from thence he ſlipt into orders, and for a "while officiated as curate to his father; after which he en-

[p] The duke carried them to the king. And he fancied they were writ either by Tonge or Oates, and ſent on deſign to have them intercepted, to give the more credit to the diſcovery. The duke's enemies, on the other hand, gave out, that he had got ſome hints of the diſcovery, and brought theſe as a blind to impoſe on the king. Burnet, p. 425.

"joyed

" joyed a ſmall vicarage in Kent [q], from whence he re- 1678.
" moved to another in Suſſex, and after that for ſome time
" got into the duke of Norfolk's family, when he particu-
" larly ſided with the ſocinians at London; ſo that he be-
" came very uncertain as to his principles and religion, and
" infamous as to his morals [r]. In the laſt year, 1677, be-
" ing abandoned and deſtitute of common neceſſaries, he fell
" into the acquaintance of dr. Ezrael Tonge, a city divine,
" a man of letters, and a prolifick head, filled with all the
" Romiſh plots and conſpiracies ſince the reformation [s].
" This man was remarkable for his parts and great reading,
" but of a reſtleſs and humorous temper, full of variety of
" projects, and ſcarce ever without a pen in his hand, and a
" plot in his head. At firſt he ſeemed to entertain Oates
" out of charity, who then went by the name of Ambroſe;
" and complaining that he knew not where to get bread,
" the doctor took him to his houſe, gave him cloaths, lodg-
" ing and diet, and told him he would put him in a way.
" After which, finding him a bold undertaker, he perſuaded
" him to inſinuate himſelf among the papiſts, and get par-
" ticular acquaintance with them: which being effected, he
" let him underſtand, that there had been ſeveral plots in
" England to bring in popery, and if he would go beyond
" ſea [illegible] the jeſuits, and ſtrictly obſerve their ways, it
" was poſſible there might be one at preſent; and if he
" could make that out, it would be his preferment for ever:
" but however, if he could get their names, and ſome in-
" formations from the papiſts, it would be eaſy to rouze
" people with the fears of popery."

Purſuant to this advice, Oates reconciled himſelf to the church of Rome, and moreover, according to ſome, entered into the ſociety of the jeſuits. In April 1677, he was ſent to Valladolid in Spain, where he remained ſix months, and then returned to England. After a month's ſtay he was ſent to St. Omer's, the Engliſh ſeminary, for farther diſcoveries. In ſhort, the latter end of June the ſame year, he returned to England, and repaired to his friend Tonge, furniſhed with

[q] Bobbing, which was given him in 1672, but the air being very bad he left it. H. Care. Hiſt of the plot, p. 64.

[r] Biſhop Burnet ſays, " He was " proud and ill natured, haughty, but " ignorant. He had been complained " of for ſome very indecent expreſ- " ſions concerning the myſteries of the " chriſtian religion. He was once " preſented for perjury."—p. 425.

[s] Biſhop Burnet gives him this character: " He underſtood gardening " and chemiſtry, and was full of pro- " jects and notions. He was a very " mean divine, and ſeemed credulous " and ſimple; but always paſſed for a " ſincere man," p. 424.

1678. materials picked up at St. Omer's. Out of theſe materials Tonge and Oates, at ſeveral conferences together either at London, or in a hired houſe at Lambeth [t], framed the papers or narratives delivered by Tonge to the king and the lord treaſurer Danby, as copies of what Oates had written with his own hand.

I omit many circumſtances of what is ſaid to paſs between Tonge and Oates, which ſeem to ſuppoſe, either there was ſome third perſon who related all theſe particulars, or elſe, that one of the two diſcovered them before his death. The intent of this recital is, as may eaſily be ſeen, to ſhow, that Tonge and Oates were the inventors of the plot, which made ſo much noiſe afterwards, and never exiſted but in their heads. It muſt be owned, that if this was well proved, it would be a ſufficient evidence, that the plot diſcovered by Oates was a fiction. In the recital appears Tonge a divine, who (having a prolific head filled with all the Romiſh plots and conſpiracies ſince the reformation) fancies it poſſible there may be one now on foot. He perſuades Oates to inſinuate himſelf among the papiſts, turn catholick, and be entered into the ſociety of the jeſuits, in order to have opportunity to make diſcoveries. Oates complies, returns from St. Omer's, freighted with materials, out of which theſe two men draw up a narrative of a horrid plot againſt the perſon of the king, the government, and the proteſtant religion, and Tonge undertakes to deliver it to the king. If all this be true, there is need of no other proofs: this alone is ſufficient to demonſtrate that the plot was a fiction, and a chimera. Wherefore, if ever there is reaſon to give the readers ſome aſſurance of what is advanced, with ſo many circumſtances, it is in ſuch a caſe as this, which alone decides the queſtion. But I muſt warn the reader, that thoſe who have advanced theſe facts, have not vouchſafed to give the leaſt proof. They have not ſaid, that they were received from ſuch or ſuch perſons then living. They have cited no authors before them, nor, in ſhort, produced one voucher of what they have advanced concerning facts, which naturally could come to their knowledge, but by ſome extraordinary means. It is a deſign managed between Tonge and Oates alone, without the intervention of any third perſon. It is certain, neither Oates nor Tonge revealed theſe pretended particulars before their death, or ever retracted their

[t] One Lambert's houſe, a bell founder's, at Foxhall, called afterwards the Plot houſe. Echard.

infor-

informations. It is therefore juſtly wiſhed, that thoſe who have reported their ſecret conferences with ſuch particular circumſtances, had produced ſome authority for what they have advanced. 1678.

Here follows the ſubſtance of the writing delivered by Tonge to the king, in form of a depoſition. Titus Oates was the ſpeaker, though he had not ſigned it; and though his name did not appear in it.

The ſubſtance of T. Oates's narrative.

" That in April 1677, the ſaid deponent was employed " by Strange, the then provincial, Keins, Fenwick, Har- " court, and other jeſuits in London, to carry their letters " to one father Suiman, an Iriſh jeſuit, at Madrid in " Spain: That in his journey he broke open the ſaid letters, " and found therein, an account given of what jeſuits they " had ſent into Scotland, to encourage the preſbyterians to " rebel; and that they feared not ſucceſs in their deſigns, " by reaſon of the king's being ſo addicted to his pleaſures, " and their intereſt in the duke of York, &c. That he " ſaw ſeveral ſtudents ſent out of England to Valladolid, who " were obliged by the jeſuits of the college to renounce their " allegiance to his majeſty of Great Britain; and that one " Armſtrong, in a ſermon to the ſtudents there, did affirm, " that Charles Stuart, the king of England, is no lawful " king, but comes of a ſpurious race, and that his father " was a black Scotchman, and not king Charles the firſt; " with ſeveral other traiterous words and correſpondencies " which he there diſcovered. Being returned to England, " where he made farther diſcoveries; about the beginning of " December, the ſaid deponent was ſent with another trea- " ſonable letter, written by Strange, and ſeveral other jeſu- " its, to St. Omer's, wherein was expreſly mentioned their " deſign to ſtab or poiſon the king; and that they had re- " ceived ten thouſand pounds from la Chaiſe, which was in " the hands of one Worſly a goldſmith in London. There " was likewiſe incloſed a letter of thanks to father la Chaiſe, " which the deponent carried to him from St. Omer's to " Paris. During this his journey, and being abroad, he " ſaw and read many other letters, all tending to the ſame " end of cutting off the king, ſubverting the preſent go- " vernment of England, and reſtoring the Romiſh religion; " and they were ſo confident as in ſome of them to ſay, that p. 11. " his majeſty of England was brought to that paſs, [that is, " ſo poſſeſſed of their fidelity] that if any malecontents " among them ſhould not prove true, but offer to diſcover, " he would never believe them."

But

1678. But one of the principal things he tells us in this narrative, was, "That April 1678, he came over from St. "Omer's with more jeſuits, to the grand conſult which was "held in May, by about fifty jeſuits, at the Whitehorſe ta-"vern in the Strand, where they met and plotted their de-"ſigns for their ſociety: from whence they diſperſed into "ſeveral clubs, five or ſix in a company, where they ſigned "a reſolve for the death of the king, with the manner how "it was to be done, which the deponent, as a meſſenger, "carried from one company to another to be ſigned. Very "ſhortly after he returned to St. Omer's, and towards the "end of June came back to England; where he ſoon be-"came privy to the treaty with Wakeman to poiſon, and "Honeſt William and Pickering to ſhoot, the king; and "that he heard Keins a jeſuit preach a ſermon to twelve "perſons of quality in diſguiſe; wherein he aſſerted, That "proteſtant and other heretical princes were ipſo facto de-"poſed, becauſe ſuch, and that it was as lawful to deſtroy "them, as an Oliver Cromwell, or any other uſurper, &c."

Beſides theſe new diſcoveries, he tells us, that he learnt ſeveral other remarkable particulars from them, as, "That "the late wars, and many other miſchiefs were brought about "by them; but more particularly the dreadful fire in 1666, "which was principally managed by Strange the provincial, "in which their ſociety employed eighty, or eighty ſix "men, he could not tell which, and ſpent ſeven hundred "fire balls, and, over and above all their vaſt expence, they "were fourteen thouſand pounds gainers by the plunder, a-"mongſt which was a box of jewels, conſiſting of a thou-"ſand carats of diamonds. He farther learnt, that the "fire in Southwark in the year 1676, was brought about "by the like means; and though in that they were at the "expence of a thouſand pounds, they made a ſhift to get "two thouſand clear into their own pockets."

P. 23, 24.

The council pays no regard to this diſcovery.

This depoſition, as I ſaid, was at laſt communicated to the council by the king's permiſſion. Probably, the king ſo managed that the council took no great notice of the affair, and looked upon the diſcovery as a forgery. After that, the lord treaſurer ſeeing he was clear of the buſineſs, ſince it was imparted to the council, would no longer hearken to Tonge, but when he came, diſmiſſed him, either unheard, or with injurious language. This made Tonge and Oates reſolve to bring the affair before the parliament. But as they had cauſe to fear, that the court would find means to ſuppreſs this depoſition, or repreſent it as a writing without

Tonge and Oates take meaſures to bring the affair before the parliament;

name and authority, they applied to ſir Edmundbury Godfrey, a juſtice of peace in St. Martin's pariſh, and Oates requeſted him to receive his oath, that the paper which he put into his hands, contained matters of treaſon and other high crimes. Godfrey was unwilling to grant their requeſt, and the rather, becauſe he was not ſuffered to read the particulars. But at laſt, Tonge depoſing upon oath, that the ſame had been communicated to the king, Oates was ſworn, and a certificate given him. This was the 6th of September. 1678. and in order to it apply to Godfrey juſtice of peace. Sept. 29. Oates's nar. Burnet.

Sometime after, the king being returned to Whitehall, whether the council had been informed of the reſolution of Tongue and Oates, or feared to be accuſed of negligence, in an affair which concerned the king and the publick, or from ſome other motive, they reſolved to examine into the bottom of the matter. For this purpoſe, the 27th of September, ſix weeks after the king had received the firſt information, Tonge was ſent for by the council, but not coming till the council was riſen, he was ordered to attend the next day. In this interval, Tonge took another copy of Oates's depoſition, and, it is pretended, inſerted ſeveral articles which were not in the firſt, but theſe new informations are not ſpecified. However, this was the copy which was afterwards publiſhed under the title of Oates's narrative. This copy being finiſhed, Tonge and Kirkby carried it to ſir Edmundbury Godfrey the juſtice, and left it in his hands [n]. The council calls before it the affair of the plot. Hiſt. of the plot. Echard. Burnet.

On the morrow, the council examined Tonge and Kirkby, and then ordered Oates to be called in. After their examination, Tonge and Oates had lodgings aſſigned them in Whitehall, by order of the council, with a guard for their ſecurity, and a weekly ſalary for their ſubſiſtence. And now the privy council for above a week, ſat twice a day on this affair, and employed Oates, as he was the firſt diſcoverer of the plot, three days and nights to ſearch after and ſeize the perſons of the conſpirators, and ſecure their papers. By his means, and upon his depoſitions, were arreſted, ſir George Wakeman, the queen's phyſician, mr. Edward Coleman, the duke of York's ſecretary, mr. Richard Langhorn, Thomas Whitebread, John Gawen, Anthony Turner, William Ireland, William Marſhal, William Rumley, James Corker, Thomas Pickering and many others. The eight laſt were Romiſh prieſts or jeſuits. In Coleman's Provides for the ſecurity of the informers. Burnet. Echard. Several of the conſpirators apprehended. Sept. 30. Oct. 2, &c. H. Care's hiſt. of the plot. Echard, III. p. 466. Kennet.

[n] He took two copies more which were ſworn to, and whereof one was left with the juſtice. Echard.

houſe

1678. houſe were found letters which greatly confirmed Oates's teſtimony, and will be hereafter remembered [w].

Condemnation of the people.

Though no particulars of the plot had yet been publiſhed, the people were informed in general, that the deſign of it was to kill the king, ſubvert the government, and change the eſtabliſhed religion. The impriſonment of ſo great a number of Roman catholicks, ſuggeſted that they were at leaſt ſuſpected of being concerned. This was ſufficient to make them believed the ſole authors of the plot. But an accident, a few days after, ſo confirmed this belief, that nothing was able to ſhake it. This was, that ſir Edmundbury Godfrey, who had ſworn Oates to his narrative, after having been miſſing four days, was found dead in a ditch about a mile out of London [x], with his ſword through his body, his cane and gloves by him, rings upon his fingers, and money in his pocket [y]. The coroners inqueſt ſat upon the body, but meeting with ſome difficulties adjourned to the day following, when, upon the declaration of the ſurgeons, they gave up their verdict, "That he was murdered by "certain perſons unknown to the jurors, and that his death "proceeded from ſuffocation and ſtrangling [z]; and that his "ſword had been thruſt through his body ſome time after "his death, and when he was quite cold, becauſe not the "leaſt ſign of blood was ſeen upon his ſhirt, or his clothes, "or the place where he was found." Though it was poſſible, this murder might not have been committed by the papiſts, they were ſo readily and publickly accuſed, that it was not ſafe to deny it, and that the people drew from it an invincible proof of the plot, and the aſſurance of the papiſts being the authors. It was not conceived, what intereſt the proteſtants could have to murder this juſtice, but it was obvious that the papiſts might do it in revenge for his ſwearing Oates to his narrative. The catholicks were then in a ſituation not to dare to vindicate themſelves. The people

The murder of ſir Edmundbury Godfrey. Relat. of his murder. Kennet. Burnet.

Echard.

The papiſts accuſed of it.

[w] Coleman, ſays Burnet, had a whole day free to make his eſcape, if he thought he was in danger. And he had conveyed all his papers out of the way: only he forgot a drawer under the table, in which the papers relating to 1674, 75, and part of 76, were left. Had he withdrawn all his papers nothing had appeared; but he left all, it might have been concluded, that the whole ſecret lay in them, p. 406.

[x] Near St. Pancras church, by Primroſe-hill. He was miſſing from October 12, to October 17, on which laſt day he was diſcovered. Relat. of his murder, p. 5.

[y] Namely, ſeven guineas, four broad pieces, two ſmall pieces of gold, and four pounds and half a crown in ſilver, Idem, p. 5.

[z] It is remarkable, that a large laced band, which he had on when he went from home, was off when his body was found. Idem, p. 6.

were

were univerſally incenſed againſt them, and the court would not openly protect them. It paſſed therefore for certain, that the papiſts were Godfrey's murderers. Of this will hereafter appear poſitive evidence. But as, a few years after, the face of affairs was changed, the papiſts and friends of the court found means to give another turn to this murder. Firſt, they raiſed ſtrong objections to invalidate the depoſitions of the witneſſes. Secondly, they obſerved, that the death of ſir Edmundbury Godfrey could be of no great advantage to them, ſince he only ſwore Oates to his narrative, and from that time to his death meddled no more. Thirdly, they inſinuated, that Godfrey had murdered himſelf, out of fear of being hanged for not diſcovering ſooner what he knew. Fourthly, and upon this they chiefly inſiſted, they pretended that Godfrey had been murdered by the proteſtants, in order to throw the odium of his death upon the papiſts. Now as the papiſts had no intereſt to publiſh this murder, it is pretended, that his death was concealed till the body was found, and then publiſhed by thoſe who committed the deed, in order to charge the catholicks with it. But though it were true, that the whole city was filled with the rumour of Godfrey's murder the day after he diſappeared, it ſeems to me, that the conſequence drawn from thence would not be neceſſary. Thus much is certain, Godfrey was murdered, and the papiſts were charged with the deed, as long as the proteſtant party prevailed; but when the face of affairs was altered, the court party did, and ſtill do, accuſe the proteſtants of it [a]. 1678.

However this be, the king, who was then at Newmarket, returning to London to hold the parliament, publiſhed a proclamation, with the promiſe of five hundred pounds reward to the diſcoverer of the murderers of ſir Edmundbury Godfrey. But as this proclamation had but little effect, becauſe it was ſuggeſted that the diſcoverers would be in danger of an aſſaſſination; the king publiſhed a ſecond, with an aſſurance of his protection to thoſe who ſhould make the diſcovery [b]. Octob. 20. H. Care. Echard.

Mean

[a] Dr. Lloyd and dr. Burnet went to view the body; and, beſides the circumſtances abovementioned, obſerved, that his ſhoes were clean. A mark round his neck an inch broad. His breaſt all over bruiſed, and his neck broken. There were many drops of white wax lights on his breeches, which he never uſed himſelf. And ſince only perſons of quality or prieſts uſe thoſe lights, this made all people conclude in whoſe hands he muſt have been. p. 249.

[b] Sir Edmundbury's corps being embalmed, was kept till October 31, when it was carried, in a very ſolemn manner,

1678. Mean time, the king was extremely perplexed. He had at first endeavoured to ſtifle the noiſe of this conſpiracy, by concealing it from his very council; but was forced at laſt to conſent it ſhould be communicated to them: and the precautions taken by Tonge and Oates, in putting the depoſition into the hands of a juſtice, had obliged the council to take precautions alſo for their own ſakes, in cauſing many perſons to be arreſted. The murder of ſir Edmundbury Godfrey happening upon this, and the whole kingdom being alarmed at it, there was no poſſibility of ſtifling the noiſe of the plot, which had now reached the moſt diſtant parts. The king therefore reſolved to take the only courſe left, which was to prevent, if poſſible, this affair from coming before the parliament. He was not ignorant of the diſaffection of the commons. The tranſactions of the laſt ſummer ſhowed, that he was ſuſpected of deſigns prejudicial to church and ſtate, and all his proceedings had given but too juſt cauſe for this ſuſpicion. He therefore feared very juſtly, that the parliament would examine into the bottom of the plot; and, under a pretence of taking care of his perſon, diſcover many things which were yet to be concealed. For, as I have remarked, the plot contained three articles, namely, the three deſigns of killing the king: ſubverting the government; and changing the eſtabliſhed religion. In all appearance, the king believed not the firſt, but could not be ignorant of the two laſt. Nay, his whole conduct had made this ſo clear, that all the kingdom was in a manner convinced of it. To avoid therefore ſo dangerous a diſcuſſion; he reſolved to take from the parliament the examination of the plot. For that purpoſe, he expreſly commanded the earl of Danby, his prime miniſter, not to acquaint the two houſes with what had paſſed through his hands, and reſolved ſo to order it, that every thing concerning the plot ſhould be left to the law, in the belief that it would be much eaſier for him to manage the judges than the parliament.

The treaſurer communicates the plot to the council. Echard.

The king endeavours to conceal it from the parliament.

Echard, III. p. 472.

The 21ſt of October, the king opened the 18th ſeſſion of this parliament with the following ſpeech:

manner, from Bridewell hoſpital, of which he was one of the governors, to the church of St. Martin's in the field., where he was buried. The pall was ſupported by eight knights, all juſtices of peace. All the aldermen of the city attended the funeral. Seventy two London miniſters marched two and two before the body. And great multitudes followed after, in the ſame order. An excellent ſermon, ſuitable to the occaſion, was preached, on 2 Sam. c. iii. v. 34. by dr. William Lloyd, vicar of St. Martin's. Kennet, p. 352. Relat. &c.

My

My lords and gentlemen,

"I Have thought the time very long ſince we parted laſt, and would not have deferred your meeting by ſo many prorogations, if I could well have met you ſooner. The part which I had this ſummer in the preſervation of our neighbours, and the well ſecuring what was left of Flanders, is ſufficiently known, and acknowledged by all that are abroad. And though for this cauſe I have been obliged to keep up my troops, without which our neighbours had abſolutely deſpaired; yet both the honour and the intereſt of the nation have been ſo far improved by it, that I am confident no man here would repine at it, or think the money raiſed for their diſbanding, to have been ill employed in their continuance; and I do aſſure you, I am ſo much more out of purſe for that ſervice, that I expect you ſhould ſupply it. How far it may be neceſſary, conſidering the preſent ſtate of Chriſtendom, to reduce the land and ſea forces, or to what degree, is worthy of all our ſerious conſiderations. The king's ſpeech to both houſes. Kennet.

"I now intend to acquaint you (as I ſhall always do with any thing that concerns me) that I have been informed of a deſign againſt my perſon by the jeſuits, of which I ſhall forbear any opinion, leaſt I may ſeem to ſay too much or too little: but I will leave the matter to the law, and in the mean time will take as much care as I can, to prevent all manner of practices by that ſort of men, and of others too, who have been tampering in a high degree by foreigners, and contriving how to introduce popery amongſt us. I ſhall conclude with recommending to you my other concerns. I have been under great diſappointments by the defect of the poll bill. My revenue is under great anticipations, and at beſt was never equal to the conſtant and neceſſary expence of the government, whereof I intend to have the whole ſtate laid before you, and require you to look into it, and conſider of it, with that duty and affection which I am ſure I ſhall ever find from you. The reſt I leave to the lord chancellor."

The king had hoped by his precautions to prevent the parliament from taking cognizance of the plot. But the earl of Danby broke all his meaſures, by communicating the very firſt day, Oates's narrative to the commons. It was believed, he was either afraid of being called to an account, The earl of Danby communicates the plot to the commons. Echard, III. p. 472.

1678. count, if he concealed from the parliament an affair of such importance, which had passed through his hands, or was willing to ingratiate himself with that house, in which he had many powerful enemies. The king was highly provoked with a procedure so contrary to his orders and designs, and gave him a severe reprimand; but the thing was without remedy.

And they to the lords.

The commons having communicated these informations to the lords, laboured incessantly upon the affair of the plot. For some days they sat from morning till late at night, and took extreme care to keep the minutes and votes of the house from being divulged. The lords were no less diligent; so that in two or three days, both houses presented three addresses to the king. The first was to pray him to appoint a fast. The second to require the removal of all popish recusants out of London. The third to pray the king's order to the lord chamberlain, that no unknown person might have access to his majesty.

Three addresses from the houses to the king. Kennet. Echard.

It must be observed, these three addresses were all founded upon the discovery of the plot, and that both houses did not confine it to the single design of killing the king, but expressly added the two others, of subverting the government, and changing the established religion. This is a remark which is to serve for the whole process of the affair. For never did the two houses separate these three articles, a clear evidence that they believed the plot was not confined to the design of killing the king, as some would insinuate.

Oates examined by the commons. H. Care. Echard, III. p. 474.

The same day that the third address was presented, namely the 24th of October, three days after the opening of the session, Oates was examined in the house of commons six or seven hours. After his examination, he was several times interrogated, according to custom, "Whether he knew "any thing more of the plot, or any other persons concerned "in it, than what he had already mentioned;" to which he solemnly answered, "He did not." And yet, he afterwards added several things to this deposition. As this is one of the objections against Oates's evidence, it will not be improper to inform the reader of what has been said pro and con.

An objection against Oates remarked upon.

First, it is said, that Oates having been examined upon oath by the house of commons, and having affirmed, he knew no more of the plot, could not afterwards add new depositions against other persons, without perjury. To improve this objection, it is said, he was solemnly interrogated, whether

whether he knew any thing more; and that he anſwered as ſolemnly, he did not. But this word ſolemnly is only uſed to aggravate the imputation of perjury. For it is eaſy to perceive, that a witneſs, at his firſt hearing, is not aſked, whether he knows any thing more, with greater ſolemnity than the other queſtions, upon which he has depoſed. It is beſides replied to this objection, that the oath taken by Oates before he was interrogated, properly reached only to the facts which he was to depoſe, and not to the queſtion after his depoſition, whether he knew any thing more of the plot? So the charge of perjury vaniſhes, unleſs it be proved, that he was again ſworn upon the laſt queſtion. 1678.

It is anſwered in the ſecond place, that this objection being made to Oates on another occaſion, he ſaid, that having been three days and three nights without ſleep when he was examined by the commons, and the examination laſting above ſix hours, it was not ſtrange, that at the firſt hearing he ſhould not recollect all he knew. I leave to the reader to conſider the objection and anſwer. Burnet, P. 430.

I cannot forbear obſerving here a fallacy put upon his readers by a celebrated hiſtorian, in ſaying, "That he began ſo much to abound with new diſcoveries, that ſome began to ſuſpect his veracity. Therefore, adds the hiſtorian, to put an end to all ſuch doubtings, on the 31ſt of October, the commons reſolved, nemine contradicente, That upon the evidence that has already appeared to this houſe, this houſe is of opinion, that there is, and hath been a damnable and helliſh plot contrived and carried on by popiſh recuſants, for aſſaſſinating and murdering the king, for ſubverting the government, and rooting out and deſtroying the proteſtant religion." Echard refuted in relation to Oates. t. III. P. 474. A vote of the commons. Kennet, P. 352.

Beſides that this author, in aſcribing for ſole motive to the commons the deſire of putting an end to all doubtings of Oates's veracity, boldly accuſes them of not acting uprightly, it may be demonſtratively proved, that this could not be their motive, ſince the witneſs added nothing to his firſt depoſition in the ſix days between his examination and the vote of the commons. I was willing to make this remark, to ſhow, with what caution the hiſtorians who have writ of the affairs of that time, muſt be read.

This vote having paſſed in the houſe of commons, nemine contradicente, they ordered, "That this vote be communicated to the lords at a conference, and that the lords be deſired to join with this houſe, in providing remedies Ibid.

1678. "medies for the preſervation of his majeſty's perſon and "government, and the proteſtant religion." Two days after, in a conference between the two houſes, upon the ſubject of the laſt vote of the commons. this report was made, "The lords have conſidered the vote of the houſe "of commons communicated to them at the conference, "and have moſt readily and unanimouſly concurred with "them in it, nemine contradicente; and their lordſhips "are very glad to ſee that zeal which the commons have "ſhewed upon this occaſion, and do fully concur with "them, that the moſt ſpeedy and ſerious conſiderations of "both houſes are neceſſary for prevention of the immi-"nent dangers. In order whereunto their lordſhips have "reſolved to ſit de die in diem, forenoon and afternoon, "and deſire that the houſe of commons will do the "ſame."

The lords concur with it.

A preſumption for the reality of the plot.

If this proves not the plot to be real, it proves at leaſt, that both houſes believed it ſo, ſince there was not the leaſt diviſion upon this article. To deny therefore that the plot was real, it muſt be ſaid, either that all the members of both houſes were groſsly miſtaken, or that they acted in a ſpirit of prejudice and party, to trouble the court. But why ſhould it be thought to trouble the court, if the king was not ſuſpected to have been the principal author of the plot, though, doubtleſs, he was not concerned in the firſt article relating to the attempt upon his life, which, as I have ſaid, was only an appendix of the plot, or at leaſt was conſidered as ſuch.

Several conſpirators apprehended, of which five were popiſh lords. Octob. 14. Hiſt. of the plot. Echard.

The ſame day that the commons examined Oates, they ſent for the lord chief juſtice Scrogs, who took his examination upon oath, and in the houſe ſealed twenty ſix warrants for apprehending ſo many perſons whom he had ſworn againſt, among whom were the lords Powis, Stafford, Arundel of Wardour, Petre, Bellaſis, and ſir Henry Tichbourn baronet, all papiſts, who were ſent to the Tower, and the reſt to ſeveral priſons.

Proclamation againſt papiſts.

The king was ſo perſuaded of his being ſuſpected, that he thought himſelf obliged to ſeem equally convinced with the parliament of the danger. To remove therefore this ſuſpicion, he publiſhed a proclamation in theſe words: "The lords and commons having taken into their ſeri-"ous conſideration, the bloody and traiterous deſigns of "popiſh recuſants, againſt his majeſty's ſacred perſon and "government, and the proteſtant religion; therefore he "commanded them all, except ſettled houſe keepers that "would

"would take the oaths of allegiance and ſupremacy, to de- 1678.
"part the cities of London and Weſtminſter, and all places
"within ten miles diſtant from the ſame."

The papiſts accordingly departed out of London; though for ſo ſhort a ſpace, than in leſs than a fortnight they returned again, whether they had leave from their leaders to take the oaths, or knew ſuch proclamations were never ſtrictly executed.

Beſides this, the king knowing, that among his foot and horſe guards, there were many papiſts and new converts to the Romiſh religion, declared in council, and publiſhed an order, with a promiſe of twenty pounds ſterling, to whoever ſhould make diſcovery of any officer or ſoldier in his horſe or foot guards, who having taken the oaths of allegiance and ſupremacy, and the laſt teſt, had ſince been perverted to the Romiſh religion. Another relating to the king's guards. Novemb. 2. Kennet, p. 352.

The commons not ſatisfied with theſe ſlight precautions, prepared a bill to prevent the danger from ſo many papiſts ſitting in parliament, and particularly in the houſe of lords.

But this was only a preparative for the more eaſy prevention of the danger with which religion was threatened, from the hopes conceived by the papiſts of ſeeing the duke of York on the throne after his brother, who neither had, nor expected to have, any legitimate iſſue. This danger cauſed ſeveral members of the commons, to form the project of a bill for excluding the duke of York from the ſucceſſion to the crown: but this was done by degrees. On the 4th of November, a debate was ſuffered to ariſe in the houſe, for an addreſs to his majeſty, that he would be pleaſed to remove the duke of York from his perſon and counſels. But this debate was adjourned to the 8th, and afterwards to the 12th of the month. Id. p. 353. Echard.

The king perceiving the intent of the commons, came to the parliament the 9th of November, and ſending for the commons, made this ſpeech to both houſes.

My lords and gentlemen,

"I Am ſo very ſenſible of the great and extraordinary care
"you have already taken, and ſtill continue to ſhow,
"for the ſafety and preſervation of my perſon in theſe
"times of danger, that I could not ſatisfy myſelf without
"coming hither on purpoſe to give you all my moſt hearty
"thanks for it. Nor do I think it enough to give you my The king's ſpeech to the parliament. Kennet, p. 353. Echard.

1678. " thanks only, but I hold myſelf obliged to let you ſee with-
" al, that I do as much ſtudy your preſervation too, as I
" can poſſibly; and that I am as ready to join with you,
" in all the ways and means that may eſtabliſh a firm ſe-
" curity of the proteſtant religion, as your own hearts can
" wiſh: and this not only during my time, (of which I am
" ſure you have no fear,) but in future ages, even to the
" end of the world. And therefore I am come to aſſure
" you that whatever reaſonable bills you ſhall preſent to
" be paſſed into laws, to make you ſafe in the reign of any
" ſucceſſor, (ſo as they tend not to impeach the right of
" ſucceſſion, nor the deſcent of the crown in the true line,
" and ſo as they reſtrain not my power, nor the juſt rights
" of any proteſtant ſucceſſor) ſhall find from me a ready
" concurrence. And I deſire you withal, to think of ſome
" more effectual means for the conviction of popiſh recuſants,
" and to expedite your counſels as faſt as you can, that the
" world may ſee our unanimity, and that I may have the
" opportunity of ſhewing you, how ready I am to do any
" thing that may give comfort and ſatisfaction to ſuch du-
" tiful and loyal ſubjects."

Bedloe a ſecond witneſs in the plot. Hiſt of the plot. Burnet, p. 431. Echard. R. Coke.

During theſe tranſactions, one William Bedloe, who took upon him the title of captain Bedloe, becauſe he had ſerved in the Low Countries [c], going from London to Briſtol, writ to ſecretary Coventry from Newbury, that he had many ſecrets to diſcover, and therefore deſired that he might be arreſted on his arrival at Briſtol, and ſent to London. If I do not inſert every thing ſaid againſt Bedloe by certain hiſtorians, it is their fault, becauſe they have given no authority for what they advanced, nor do I think myſelf obliged to copy implicitly from authors who writ forty years after the events, and have not thought proper to alledge the leaſt proof of what they aſſert. I ſhall however briefly ſay, that they ſpeak of Bedloe as of the greateſt villain that ever lived.

Bedloe was apprehended at Briſtol, according to his deſire, and brought to London the 6th of November, when

[c] He had formerly been a ſervant to the lord Bellaſis, afterwards an enſign in Flanders. About Michaelmaſs 1674, he was ſent for over by Harcourt, recommended by the Engliſh abbeſs at Dunkirk, and ſo by degrees became acquainted with the jeſuits, and was at laſt generally employed as an agent for them, and ſent frequently with letters into foreign parts. Hiſt. of the plot, p. 127.——Burnet ſays, Bedloe had led a very vicious life. He had gone by many falſe names, by which he had cheated many perſons. He had gone over many parts of France, and Spain, as a man of quality. And he had made a ſhift to live on his wits, or rather by his cheats, p. 432.

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the parliament was very buſy upon the affair of the plot. A guard was immediately aſſigned him for his ſecurity, and a penſion for his ſubſiſtence, with a lodging at Whitehall. The king was preſent at his examination before the two ſecretaries of ſtate. He declared he had been bred a proteſtant of the church of England, but within two years perſuaded to turn catholick by the jeſuits. He ſaid, he knew that ſir Edmundbury Godfrey was murthered in Somerſet-houſe, but it is pretended, he ſolemnly declared upon oath, his ignorance of the plot then in queſtion. But as I ſaid, facts ſupported by no authority deſerve little credit [d]. It is added, that the very next day, being examined by the houſe of lords, he thought fit upon new encouragement, to be more upon, and launch out into the depths of the plot, with a new and ſupplemental evidence. It is eaſy to perceive the tendency of ſuch inſinuations deſtitute of authority. 1678. Echard.

However this be, Bedloe delared to the lords, that Walſh and le Phaire, two Jeſuits concerned in the murder of Godfrey, informed him, "That the lord Bellaſis had a "commiſſion to command forces in the north, the earl of "Powis in South Wales, and the lord Arundel of Wardour had a commiſſion from the pope to grant commiſſions to whom he pleaſed: that Coleman had been a "great agitator in the deſign againſt the king." He was aſked, if he knew Oates, and he poſitively denied it, but pretended afterwards, he knew him by the name of Ambroſe. His depoſitions.

The next day, the two houſes obtained from the king a proclamation againſt Walſh, le Phaire, Conyers, Simmonds, Pritchard, and Caſtaway, but none of them could be found.

The 12th of November, Bedloe was examined a ſecond time in the houſe of lords. The ſubſtance of what he ſaid was, "That the monks of Doway firſt told him the "deſign; and, after four ſacraments of ſecrecy, they ſent "him to Harcourt, a jeſuit in Duke-ſtreet, London, who "provided for him, and ſent him to Paris, &c. That le "Phaire, Walſh, Pritchard, and Lewis, told him what "lords were to govern, what men were to be raiſed; "particularly forty thouſand to be ready in London: what His ſecond depoſition.

[d] Burnet ſays, he declared, he had only heard that forty thouſand men were to come over from Spain, who were to meet at St. Jago's as pilgrims. But knew nothing of any fleet to bring them over, p. 452.

1678. "ſuccours were to be expected, namely, ten thouſand "from Flanders, twenty or thirty thouſand religious men "and pilgrims from St. Jago in Spain; that Hull was to "be ſurprized; and that, juſt in the critical time that the "plot was diſcovered; that le Phaire gave him a ſacra- "ment of ſecrecy; and they told him, who and who were "to be killed, and the men that were to do the work. Le "Phaire ſaid further, that Conyers was my lord Bellaſis's "confeſſor, and communicated his orders; and that they "were reſolved, if any plotters were taken, to diſpatch "them before they could be brought to tryal, or to burn "the priſon. That le Phaire, Pritchard, Lewis, Keins, "and Walſh, and others, had often told him, that there "was not a Roman catholick in England of any quality "or credit, but was acquainted with this deſign of the "papiſts, and had received the ſacrament from their father "confeſſors, to be ſecret and aſſiſtant in the carrying of "it on: that the part aſſigned him, was to bring and carry "orders and counſels, and all other intelligences from one "army to another upon all occaſions, he knowing every "part and road of England and Wales."

After this depoſition, the lords having conjured Bedloe to ſpeak nothing but the truth, he did in the preſence of God, as he ſhould anſwer it, at the day of judgment, aſſure all to be true he had depoſed.

A proclamation againſt the papiſts. Echard, III. p. 478.

Bedloe's depoſition, which was communicated to the commons, was very apt to fill the parliament and people with fears. Accordingly the effect of it was ſuch, that the king, to avoid being ſuſpected of having any hand in the plot, publiſhed a proclamation the 12th of November, "Whereby all Romiſh recuſants, and ſuch reputed, were "enjoined under the penalty of the laws, to repair to their "own houſes, and not to remove more than five miles "from thence without licence." But the commons did not think this proclamation ſufficient to free them from their fears. The ſame day they preſented an addreſs to the king, praying, "That a ſpecial commiſſion may be "iſſued forth, for tendering the oath of allegiance and "ſupremacy to all the ſervants of his majeſty, and his "royal highneſs, and to all other perſons, (except her "majeſty's Portugal ſervants) reſiding within the palaces "of Whitehall, St. James's, and Somerſet-houſe, and all "other his majeſty's houſes; and that there may be like- "wiſe ſpecial commiſſions iſſued forth, for tendering the "ſaid oaths to all perſons reſiding within the two ſerjeants- "inns,

The commons addreſs the king. Kennet, p. 353.

" inns, all the inns of court, and inns of chancery." The king returned an anſwer in writing, that he granted their requeſt, with exception of the menial ſervants of the queen and ducheſs, who were ſo very inconſiderable in their number, and within the articles of marriage. He added, " That " he could not but take notice, that in a late addreſs from " the houſe of peers, the menial ſervants of the queen " and ducheſs were excepted, and that he hoped the com- " mons would proceed with the ſame moderation as to that " particular." This anſwer was not ſatisfactory, and therefore they inſiſted in a ſecond addreſs, " That the perſons " excepted in his majeſty's meſſage, might be compre- " hended in the ſame commiſſion, for which they gave " ſome reaſons." But before the king had anſwered this addreſs, there happened an accident which put the commons much out of temper. 1678. His anſwer.

The 18th of November, they were informed, that ſeveral commiſſions had been granted to popiſh recuſants, and warrants alſo, that they ſhould be muſtered, notwithſtanding they had not taken the oaths, and ſubſcribed the declaration according to the act of parliament, and that they were counterſigned by ſir Joſeph Williamſon, ſecretary of ſtate. Upon this information, Williamſon, as a member of their houſe, was immediately ſent to the Tower. This much offended the king, who the next day ſent for the commons to attend him in the Banqueting-houſe in Whitehall, were in a ſpeech he told them plainly, " That though " they had committed his ſervant, without acquainting him; " yet he intended to deal more freely with them, and " acquaint them with his intention to releaſe his ſecre- " tary;" which accordingly he did that very day. Upon this the commons preſented an addreſs to the king, with the reaſons of their proceedings in the commitment of his ſecretary. They ſaid, " 1. That divers commiſſions were " granted to popiſh officers, and counterſigned by the ſaid " ſir Joſeph Williamſon, and delivered out in October laſt, " ſince the meeting of this houſe, and the diſcovery of the " preſent popiſh conſpiracy. The commons ſend ſecretary Williamſon to the Tower. Ibid. Id. p. 354.

" 2. Divers warrants have alſo been produced before us " of diſpenſations, contrary to law, for popiſh officers " to continue their commands, and to be paſſed in muſter, " notwithſtanding they have not taken the oaths of alle- " giance and ſupremacy, and received the bleſſed ſacra- " ment of the lord's ſupper, according to the late act of

1678. "parliament in that behalf; all which ſaid warrants were "likewiſe counterſigned by the ſaid Williamſon; which "being complained of to us, and confeſſed by the ſaid ſir "Joſeph Williamſon, we your majeſty's moſt dutiful ſub-"jects, having the immediate conſideration before us, of "the imminent danger of your majeſty's perſon, the ſafety "whereof is above all things moſt dear to us, and likewiſe the "dangers from popiſh plots ſo nearly threatening the peace "and ſafety of your majeſty's government, and the proteſtant "religion; we humbly are of opinion, we could not diſ-"charge our duty to your majeſty, and the whole kingdom, "without committing the ſaid ſir Joſeph Williamſon; and "therefore moſt humbly deſire, that he may be diſcharged "by your majeſty. And we do further moſt humbly de-"ſire your majeſty, to recall all commiſſions granted to "all papiſts within the kingdom of England and Ireland, "or any other of your majeſty's dominions and ter-"ritories."

To this the king anſwered, "That he had releaſed "Mr. ſecretary Williamſon before their addreſs came, and "promiſed to recall all his commiſſions whatſoever given "to papiſts, or reputed papiſts."

Had not the king had ſome ſecret deſign, it muſt be owned, he ill-timed theſe commiſſions while the popiſh plot made ſo much noiſe, and the parliament was employed in examining into it. But this is a myſtery which is not yet cleared. However the affair was carried no farther.

A proclamation againſt Romiſh prieſts or jeſuits. Kennet. Echard.

About this time, the bill to diſable papiſts to ſit in parliament, paſſed the commons, and afterwards the lords, though with more difficulty *. The king likewiſe publiſhed a pro-

* Kennet ſays, the commons were ſo zealous for this bill, that they voted it to be a bill, "upon which the ſafety "of the king and kingdom, and the "proteſtant religion, did entirely de-"pend." And when it was like to "ſtick in the houſe of lords, the commons deſired them, by a meſſage, to proceed ſpecially on it; elſe, they would think themſelves unable to prepare any effectual remedies, to prevent the evils that hung over them, p. 357. Echard, on the other hand, ſays, the bill paſſed the houſe of lords with ſome little amendments, and a particular clauſe in favour of the duke of York. But the greateſt ſtruggle about it was chiefly in the houſe of commons when it was ſent back, though it was paſſed there alſo with the ſaid alterations. In the debate, ſir Jonathan Trelawny and mr. Aſh being violently heated, and opprobrious words paſſing between them, ſir Jonathan gave Aſh a box on the ear, which being returned by Aſh with a ſlap on the face, they both began to draw. Whereupon ſir Jonathan was ſent to the Tower, and Aſh publickly repri-

a proclamation, offering a reward to any one who ſhould diſcover or apprehend a Romiſh prieſt or jeſuit. 1678.

Mean while, the king finding the commons delayed to grant him money, came to the parliament, and after a repetition of ſome things delivered in his firſt ſpeech, he deſired them, either to grant him money to continue his forces in Flanders, or to diſband them. Whereupon the commons, who ſaw with uneaſineſs, ſo formidable an army on foot in ſuch a juncture, reſolved, nemine contradicente, "That all the forces raiſed ſince the 29th of September "1677, ſhould be diſbanded:" To which purpoſe they preſented an addreſs to his majeſty. The king demands money. Nov. 25. Kennet, p. 354. The commons reſolve to diſband the forces. Echard, III. p. 481.

At the ſame time, the commons had before them a bill, "For raiſing a third part of the militia to be in conſtant "arms for a time," which with amendments was ſent up to the lords, and paſſed their houſe.

The 30th of November the king gave the royal aſſent to the bill, "For diſabling papiſts from ſitting in either houſe "of parliament," and ſhowed himſelf very willing to recal his forces from Flanders. But the militia bill he abſolutely rejected, alledging, "That it was to put the militia out of "his power, which thing he would not do, no not for one "hour; but if the commons would aſſiſt him with money "for that purpoſe, he would take care to raiſe ſuch a part "of the militia as ſhould ſecure the peace of the govern-"ment and his own perſon." But the parliament thought not fit to accept his offer. The militia bill rejected.

Since the king had ſeen the unanimity of the two houſes concerning the reality of the plot, he had thought proper to feign a no leſs fear of the danger the church and ſtate were in. And this is what father Orleans can hardly forgive him, ſaying his diſſimulation was made uſe of to the committing of much injuſtice. But the king found himſelf in no condition to oppoſe the torrent, which ran ſo violently againſt the papiſts. His whole policy was confined to his endeavours to remove the ſuſpicion of his being

reprimanded by the ſpeaker, tom. III. p. 480. This bill conſiſted of a teſt againſt popery, in which tranſubſtantiation was not only renounced, but the worſhip of the virgin Mary and the ſaints, as practiſed in the church of Rome, was declared to be idolatrous. Gunning, biſhop of Ely, maintained the church of Rome was not idolatrous. He was anſwered by Barlow, biſhop of Lincoln. However, Gunning took the teſt. The duke ſpoke on the clauſe for excepting himſelf, with tears in his eyes, proteſting, that whatever his religion might be, it ſhould only be a private thing between God and his own ſoul, and no effect of it ſhould ever appear in the government. Burnet, p. 435.

concerned

1678. concerned in the plot, which he ſaw both houſes were too apt to believe. So, without unſeaſonably affecting an indiſcreet zeal for a religion which he publickly diſowned, he calmly left the papiſts expoſed to the reſentment of the parliament, for fear of his own ruin by an oppoſite conduct. For this reaſon it was, that he ſuffered the conſpirators to be brought to their trials [f].

Coleman's trial. State trials, t. II. p. 656.

Edward Coleman, ſecretary to the duke of York was firſt tried, the 27th of November, at the King's-Bench bar, before the lord chief juſtice Scroggs. The witneſſes produced againſt him were Oates and Bedloe. The firſt depoſed,

The ſubſtance of Oates's evidence againſt Coleman.

"1. That in November 1677, being brought acquainted "with the priſoner by father John Keins, then the depo- "nent's confeſſor, who lodged at mr. Coleman's houſe, he "carried ſome letters from him to St. Omer's, which he "ſaw opened when he came there. In them were trea- "ſonable expreſſions againſt the king, calling him tyrant, "&c. And a letter in Latin encloſed to father la Chaiſe, "to whom Oates carried it from St. Omer's to Paris; in "which there were thanks returned for the ten thouſand "pounds by him remitted to England, for the propaga- "tion of the catholick religion, and promiſing it ſhould be "employed for no other purpoſe, but that for which it "was ſent, namely, to cut off the king of England, as "appeared by the letter of la Chaiſe, to which all this "was an anſwer, and which Oates ſaw and read,

"2. That Coleman was concerned in the deſign of kil- "ling the king; for when, at the jeſuits great conſult, on "the 24th of April, which afterwards divided into ſeveral "clubs, it was reſolved that Pickering and Grove ſhould "take off his majeſty by ſhooting, or other means; this "reſolve was communicated to Coleman, in Oates's hear- "ing, at Wild-houſe, who did approve thereof, and ſaid, "it is well contrived.

"3. That in Auguſt 1678, Coleman was preſent at a "conſult with the jeſuits and Benedictine monks at the "Savoy, for raiſing a rebellion in Ireland, for which forty "thouſand black bills as arms were provided; and was "very forward to have Dr. Fogarthy ſent over to poiſon "the duke of Ormond: and at another time, being in "Fenwick's chamber, in Drury-lane, Coleman ſaid to him

[f] On November 21. William Stayley goldſmith, was tried for treaſonable words againſt the king, and executed November 26. State trials, tom. II. p. 652.

"in

" in Oates's hearing, That he had found a way to tranſmit 1678.
" two hundred thouſand pounds to carry on the rebellion
" in Ireland.

" 4. That in the month of Auguſt, Coleman knew of " the four Iriſh ruffians ſent to kill the king at Windſor; " and in Oates's hearing, aſked father Harcourt at Wild- " houſe, what care was taken for thoſe gentlemen that " went laſt night to Windſor? Who replied, that eighty " pounds was ordered them, which he ſaw there on the " table, moſt of it in guineas; and that Coleman was ſo " zealous that he gave a guinea to the meſſenger who was " to carry the money, to expedite the buſineſs.

" 5. That in July 1678, Coleman was privy to the " inſtructions brought by Aſhley, rector of St. Omer's, from " father Whitebread, to impower the conſultors to pro- " poſe ten thouſand pounds to ſir George Wakeman to poi- " ſon the king, provided Pickering and Grove failed to do " the work: that Coleman had read and copied thoſe in- " ſtructions, and tranſmitted them to ſeveral others of the " conſpirators, who were gathering contributions about " the kingdom, who would be more encouraged to give " largely, both becauſe they were aſſured the buſineſs would " ſoon be diſpatched, and that they might ſee they had " aſſiſtance from beyond ſeas; and that Coleman was ſo " far from diſappointing this treaſon, that he ſaid, it was " too little, and thought it neceſſary to give five thouſand " pounds more, to make the buſineſs ſure.

" 6. That in April 1678, Oates ſaw Coleman's patent " or commiſſion to be ſecretary of ſtate, from Paulus de " Oliva, general of the ſociety of jeſuits, by virtue of a " brief from the pope, and he knew the hand perfectly " well; and in Fenwick's chamber he ſaw Coleman open " it, and heard him ſay, It was a good exchange. Laſt of " all Oates being aſked how many came over in April to " the grand conſult, and how many prieſts and jeſuits had " been in England at one time? he ſaid, he could not ex- " actly remember their numbers, but to his knowledge, " there had been in England at the ſame time, a hundred " and ſixty ſecular prieſts, eighty jeſuits, and by name in " the catalogue above three hundred.

Bedloe depoſed,

" 1. That he knew not of any commiſſion to mr. Cole- Bedloe's evidence.
" man; but that ſir Henry Tichbourn had told him, that
" he brought a commiſſion for him to be principal ſecre-
" tary

1678. "tary of ſtate, when he brought over the reſt of the com-
"miſſions for the lords and others, from the principal je-
"ſuits at Rome, by order of the pope.

"2. That in April 1675, he carried over a large packet
"of letters from Coleman to father la Chaiſe, about car-
"rying on the plot, and brought back an anſwer: and
"on May the 24th or 25th, 1677, he received another
"packet of Coleman's, to carry to Paris to the Engliſh
"monks; and that he had received money to carry on the
"deſign to ſubvert the government of England, to free
"England from damnation and ignorance, and to free all
"catholicks from the hard tyranny and oppreſſion of he-
"reticks.

"3. That upon Bedloe's return with anſwers to the laſt
"letters, which were delivered to Coleman by Harcourt,
"he heard the priſoner, at his houſe behind Weſtminſter
"Abbey, at the foot of the ſtaircaſe, ſay, if he had a
"hundred lives, and a ſea of blood to carry on the cauſe,
"he would ſpend it all to eſtabliſh the church of Rome in
"England; and if there was an hundred heretical kings
"to be depoſed, he would ſee them all deſtroyed. Upon
"this ſaying, mr. Coleman aſked him this queſtion, Did I
"ever ſee you in my life? Yes, ſaid the other, in the ſtone
"gallery in Somerſet-houſe, when you came from a con-
"ſult, where were great perſons, which I am not to name
"here; that would make the bottom of your plot trem-
"ble: you ſaw me then."

The third evidence againſt Coleman was his own letters, found in his lodgings when he was arreſted. But it muſt be obſerved that only thoſe of the years 1674 and 1675, were found in a drawer under the table [g]. The general opinion was, that he had received notice of his being accuſed by Oates in the council, and ſo had time to burn or convey away thoſe of the two laſt years, with the book in which they were entered. However this be, the following extracts are taken from ſome of his letters writ with his own hand, and allowed to be authentick.

Extract from a letter of Mr. Coleman to father la Chaiſe the 29th of June, 1674.

Coleman's letters produced againſt him. Treby's collect. p. 1.

"I Am commanded to tell you, that his royal highneſs,
"my maſter, is very ſenſible of the friendſhip of his
"moſt chriſtian majeſty, which he will endeavour to cul-

[g] See note above, p. 476, Note w.

"tivate

" tivate very carefully, and to give him all poſſible aſ- 1678.
" ſurances of it, to take away all jealouſies that his enemies
" would raiſe to the contrary. That his royal highneſs has
" done nothing in any manner whatſoever, nor in any place,
" againſt the intereſt of his moſt chriſtian majeſty, but hath
" rendered him all the good offices he hath been capable
" of. That as for recalling the parliament, and touching
" my lord Arlington, his highneſs is altogether of opinion
" of his majeſty, that neither one or other is uſeful, but
" quite contrary, very dangerous as well for England as
" France; and that his moſt chriſtian majeſty is in great
" danger of loſing the neutrality of England, at the next
" ſeſſion, (if the parliament meet) as he loſt its alliance
" by the peace of Holland at laſt; becauſe the lower
" houſe and their friends (as the furious proteſtants, and
" the malecontents in the houſe of lords) have a de-
" ſign to leſſen his royal highneſs, and root out the
" catholick religion; and they think they cannot make
" uſe of any other fitter means to attain their ends,
" than to raiſe the Dutch, and to perplex his moſt chri-
" ſtian majeſty, as much as lies in their power. That
" his highneſs doubts not, but it is abſolutely neceſſary
" for the intereſt of his moſt chriſtian majeſty, and his
" royal highneſs, to uſe all endeavours to hinder the meet-
" ing of the parliament, by perſuading his Britannick ma-
" jeſty, that his greatneſs, his honour, and his quiet, are
" no leſs concerned therein than theirs: ſo that if his
" moſt chriſtian majeſty would write freely his thoughts
" thereupon to his Britannick majeſty, to forewarn him
" of the danger he apprehends from thence, and would
" withal think fit to make him the ſame generous of-
" fers of his purſe, to perſuade him to diſſolve the pre-
" ſent parliament, as he hath done to his highneſs for
" the election of another, perhaps he would ſucceed there-
" in by the aſſiſtance we would give him here. As for
" another parliament, it would be eaſy enough to get
" ſuch a one as we wiſh for; the conſtitutions of our
" parliaments being of ſuch a nature, that as there is
" nothing to be hoped for by the king from an old one,
" ſo there is nothing to be feared from a new one; be-
" cauſe ſuch a one, at their firſt meeting, muſt needs aſſiſt
" his majeſty, ſo far as to enable him to acknowledge his
" obligations both to his moſt chriſtian majeſty and to all
" the world."——

There

1678. There was in the year 1674, a prorogation of the parliament, which laſted fourteen months: it appears in this letter, that the intereſts of the king of France and the popiſh religion were the true cauſe of this long prorogation.

Extract from a letter of mr. Coleman to father la Chaiſe, September 25, 1674.

Treby's collect. p. 3.

" FOR the firſt point of your letter, his royal highneſs " has commanded me to tell you, that he will govern " himſelf according to your advice, and treat of nothing " concerning the catholick religion with monſieur Rou- " vigny, nor with any other perſon than yourſelf; but that " he will communicate to you all things he ſhall find neceſ- " ſary for the good of the catholicks, and ſhall be very " well pleaſed to receive advices from you thereupon. For " the reſt, his royal highneſs does a little wonder, that he " hears nothing from monſieur Rouvigny touching the ſe- " cond point of your letter, ſince you have written ſo po- " ſitively that he had orders to confirm, and procure execu- " tion of what his moſt chriſtian majeſty propoſed to him " the 2d of June laſt, by your mediation.——His moſt " chriſtian majeſty made a very generous offer to his royal " highneſs of the aſſiſtance of his purſe, to enable him to " defend them both from the evils that threatened them, " and by good luck his royal highneſs has laboured with ſo " much diligence and ſucceſs, that the dangers which they " apprehended are a little put off: but one thing more is " neceſſary for the perfect ſecuring their affairs; and with- " out making one ſtep more, all that he has already done " will ſignify nothing. For that the aſſiſtance of his moſt " chriſtian majeſty is no leſs neceſſary at preſent than here- " tofore, to ſubdue entirely thoſe, who being exaſperated a- " gainſt his moſt chriſtian majeſty, as much as againſt his " royal highneſs, and are angry with his royal highneſs, " only becauſe he is ſo unalterably addicted to the intereſt " of his moſt chriſtian majeſty, will exerciſe their malice " and their rage with more brutality than ever, if they find " occaſion for it hereafter. If you can therefore, by your " credit, obtain from his moſt chriſtian majeſty the ac- " compliſhment of the offer of his purſe, for raiſing the " reputation of his royal highneſs in the opinion of his " Britannick majeſty, and for putting him in condition " to reſiſt the ſharpeſt batteries of the adverſaries of his moſt

" chriſtian

" chriſtian majeſty, and royal highneſs, to wit, the poſſi- 1678.
" bility they pretend to get money from the parliament, and
" the impoſſibility of having any elſewhere, by which they
" often keep the mind of his Britannick majeſty in ſuſpence,
" and wherein they place the hope they have to conquer him
" at laſt: there will nothing more remain, to be feared by
" his moſt chriſtian majeſty, or his royal highneſs, but his
" royal highneſs will be able to diſſolve the parliament with
" eaſe, and afterwards, in recompence of the ſaid aſſiſtance,
" will perform on his part, all that his moſt chriſtian ma-
" jeſty ſhall aſk of him, and will proceed with ſincerity,
" upon the word of a prince, (that no man can reproach
" him for violation of) for the intereſt of his moſt chriſtian
" majeſty."

Extract from a letter of mr. Coleman to the pope's nuntio at Bruſſels, September 4, 1674.

" ——THAT the duke's principal deſign is, to uſe Id. P. 9.
" the pope's interpoſition, and by that means
" to eſtabliſh himſelf in the poſſeſſion of his eſtate, through
" the aſſiſtance of France and Spain, and to turn all their
" cares for the eaſe of the pope's friends, and particularly
" for the catholicks of the church, againſt their enemies; and
" aſſures him he will find, that the pope never had an oc-
" caſion ſo favourable as at this hour, to enrich thoſe of his
" family, and to augment the number of his friends; and
" if he lets it ſlip, he never will find the like: ſo that if
" ever they propoſe to make uſe of the treaſure of the church,
" it is now they ought to do it; for they can demand no-
" thing that the duke will not be capable to do for the pope's
" friends :——on the other ſide, without their aid, he will
" run great hazard of being loſt, both himſelf and his aſ-
" ſociates."

Extract of a letter from mr. Coleman to the ſame nuntio, written October 23, 1674.

" YOU agree with me, that money is the only means Id. p. 12.
" of bringing the king into the duke's intereſt, and of
" diſengaging him from the parliament; and you muſt alſo
" agree with me, that nothing can more promote the in-
" tereſts of the catholick party, which is the principal ob-
" ject of the duke's care and affection, and of the hatred
" of the parliament, and which muſt hope, or fear, ac-

1678. "cording as the one or the other of them increaſe in pow-
er.——Nothing in the world is more certain, than that
"the king has a good inclination towards the duke, and
"the catholicks, and would join himſelf willingly and
"inſeparably to their intereſts, if he did not apprehend
"ſome danger from ſuch a union; which, however, he
"would not have cauſe to fear, if he found their inter-
"eſt, and conſequently their power ſo far advanced a-
"bove that of their adverſaries, that they ſhould neither
"have the power nor the boldneſs to conteſt any thing
"with them; which the king could ſee in a very little
"time, if we could perſuade him to do two or three
"things:——And I am certain money could not fail of
"perſuading him to it; for there is nothing it cannot
"make him do, though it were as much to his prejudice,
"as this we endeavour to perſuade him to will be to his
"advantage."——

In another letter, Coleman, poſitively ſaid, "That it
"was by the credit of the catholicks, that the parliament
"was prorogued till the 13th day of April 1675.

Extract from a letter of mr. Coleman, to father la Chaiſe.

"——OUR prevailing in theſe things will give the great-
"eſt blow to the proteſtant religion here, that
"ever it received ſince its birth."

In another.

Id. p. 17. "WE have here a mighty work upon our hands, no
"leſs than the converſion of three kingdoms, and
"by that perhaps the ſubduing of a peſtilent hereſy,
"which has domineered over great part of this northern
"world a long time; there were never ſuch hopes of ſuc-
"ceſs ſince the death of queen Mary, as now in our
"days."

In the ſame letter.

"——THE oppoſition we are ſure to meet with is alſo
"like to be great; ſo that it imports us to get
"all the aid and aſſiſtance we can, for the harveſt is great,
"and the labourers but few."——

After

After the reading of theſe letters, Coleman alledged in his defence. 1678.

State trials.

" 1. That Oates, who now pretended ſuch acquaint-
" ance with him, declared before the king and coun-
" cil, That he never ſaw him before, or did not know
" him.

To which the other anſwered, " That it being can-
" dle-light, and his ſight weak, and Coleman altered in
" habit and wig, he did at firſt ſay, he could not ſwear
" that was the man, or that he had ever ſeen him be-
" fore; but as ſoon as he heard him ſpeak, he knew him
" well, and could have then ſworn it, had it been de-
" manded.

" 2. That had the things now alledged by Oates been
" true, he would have charged the ſame before the coun-
" cil: but then he only charged him with the ſending of
" one letter, and ſuch ſlender matters, that the council was
" ready to let him go at large: and therefore all the reſt
" muſt be invented ſince."

To this Oates replied, " That he was then ſo weak and
" weary, he could not well tell what he ſaid; beſides, his
" deſign was then to lay no more to his charge, than might
" ſerve for information, &c.

" 3. Whereas Oates charged him with conſenting to
" Wakeman's poiſoning of the king, and that it was con-
" ſulted by him in Auguſt, and, as he remembered, about
" the 21ſt day, Coleman alledged, that he was then in
" Warwickſhire, and one of his men and he were there all
" Auguſt, as he thought, but was not ſure of it; and after
" conviction, he offered a book that would ſhew he was
" out of town from the 18th, to the 31ſt of Auguſt:" But this was no evidence in itſelf, and offered too late, ſo it did not contradict Oates, who was not poſitive to a day, but only to the month. As to what was ſworn by Bedloe, he made no other anſwer than a ſolemn aſſeveration, that he never ſaw the man in his life. But as to his papers, which he did not deny, he alledged, " There
" was no treaſon in them, though very extravagant ex-
" preſſions; and that it would plainly appear from them,
" that his deſign was ſo far from killing the king, that
" it was only to make the king and duke as great as could
" be."

1. It is proper to remark upon this laſt anſwer, that according to Oates's depoſition, the reſolution to kill the king was taken but the 24th of April 1678, and theſe letters were

1678. of the years 1674, and 1675; conſequently they could not mention the deſign of killing the king, neither were they produced in proof of that article.

2. Oates had accuſed Coleman of being concerned in the plot, before his letters were found. How then, if he did not know Coleman, could he gueſs ſo right, as to lay things to his charge, which were found in letters under his own hand?

3. Coleman owned, that his intention was to make the king and duke of York as great as was poſſible. This was a neceſſary conſequence of the projected change of religion. For it was not poſſible to ſubvert religion, without a ſubverſion of the government, nor to render the king abſolute, without a deſign of altering religion, ſince the king and duke were both catholicks. One of theſe articles proved, neceſſarily proves the other.

Coleman condemned,

In the concluſion of his defence, he uſed theſe words; "Poſitively I ſay, and upon my ſalvation: I never ſaw "theſe witneſſes, Oates but once, and Bedloe never be- "fore."

and executed without any confeſſion of his crime.

The jury, who were all gentlemen of the county of Middleſex, againſt whom Coleman had made no exceptions, withdrawing, in a little time brought him in guilty of high treaſon. The day after he received ſentence of death, and the 3d of December was hanged and quartered according to cuſtom. He perſiſted to the laſt moment in the denial of the crimes for which he was condemned. But as his letters ſeemed at leaſt to prove a deſign of extirpating the proteſtant religion, he declared his ſole intention was to procure liberty of conſcience for the papiſts. Probably it will not be univerſally agreed, that this is the natural ſenſe of the expreſſions in his letters. It is true, a report was ſpread in London, that he was promiſed a pardon, in caſe he made no confeſſion; but ſuch rumours are not much to be credited [h].

[h] He declared before the committee, that he had acted by order in all he had done. And he believed the king knew of his employment, particularly that at Bruſſels. But though he ſeemed willing to be queſtioned about the king, the committee did not think fit to do it, nor to report what he ſaid concerning it: only in general, they reported that, he ſpoke of another matter, about which they did not think fit to interrogate him, nor to mention it. Littleton, one of the committee, gave dr. Burnet an account of all that paſſed that very night. And he found his behaviour made great impreſſions on them all: it was given out, to make the duke more odious, that Coleman was kept up from making confeſſion, by the hopes the duke ſent of a pardon at Tyburn. But he could not be ſo ignorant, as not to know, that at that time it was not in the king's power to pardon him, while the tide ran ſo high. Burnet, p. 437.

The

The ſame day that Coleman was tried, the king at the requeſt of the lords, publiſhed a proclamation, promiſing, "That if any perſon or perſons ſhall before the 25th day "of December next, make any farther diſcovery of the "late horrid deſign againſt his majeſty's perſon and go- "vernment, he or they———ſhall not only receive from "his majeſty for every ſuch diſcovery, the reward of two "hundred pounds; but if he or they were a principal or "principals in the ſaid deſign, they ſhall have his majeſty's "gracious pardon." 1678. A proclamation to encourage further diſcoveries. Echard, III. p. 487.

Whether through a deſire of having this reward, or that they believed to have a good foundation, Oates and Bedloe had the boldneſs before the king and council to accuſe the queen herſelf, of conſenting to the death of the king, and of being in the deſign to poiſon him by means of Wakeman. But, beſides that their depoſitions contained only certain ſigns which were far from proofs, the king ſtopped this affair by his authority. But he could not prevent an addreſs from the commons, to deſire the immediate removal of the queen and her family from the court at Whitehall. The king was ſo offended at Oates's inſolence, that he ordered a ſtricter guard upon him than ever. But the day after, the commons addreſſed him, "That "Oates be freed from his reſtraint, attended by his own "ſervants, and that a competent allowance be appointed "for his maintenance." At the ſame time, they reſolved, that an addreſs be preſented to his majeſty, that all papiſts and ſuſpected papiſts within the ſeveral counties of England may be ſecured. Oates and Bedloe accuſe the queen. Burnet, p. 435. Echard, III. p. 487.

The 6th of December, they impeached the five lords in the Tower, at the bar of the houſe of peers. But they had not time to exhibit the articles againſt them, and the affair was reſumed by another houſe of commons.

The 17th of December were arraigned at the Old Baily five of thoſe arreſted for the plot, namely, William Ireland, and Thomas Pickering, both prieſts; John Grove a lay brother, Thomas Whitebread provincial of the jeſuits, and John Fenwick a jeſuit alſo. But in the courſe of the evidence, there not appearing ſufficient proof againſt the two laſt, they were reſerved for another time. So. the three firſt only were tried that day. The ſum of Oates's evidence againſt them was: State trials, t II. p. 692. Burnet, p. 443.

"1. That at the grand conſults of April the 24th, at "the White Horſe in the Strand, whereof Ireland was "one; it was reſolved, that Pickering and Grove, as hav- The trials of Ireland, Pickering, and Grove, Ibid.

1678. "ing been formerly engaged, ſhould go on in their deſign "and attempt to aſſaſſinate the king; and that Grove being "a layman, ſhould have fifteen hundred pounds for his "reward; and Pickering being a prieſt, thirty thouſand "maſſes, which at twelve pence a maſs, amounted to that "ſum.

"2. That this reſolve was the ſame day drawn up in "writing by one Mico, that was ſecretary to the ſociety, "and companion to provincial Whitebread, at the ſaid "Whitebread's chamber, who having ſigned it, it was "carried by the deponent Oates, as being a meſſenger to "the conſult, to be ſigned by the reſt of the colloquies; "and that Ireland in his own chamber did ſign it in his "preſence.

"3. That Pickering and Grove conſented to ſuch re-"ſolve, accepted the terms, and alſo ſigned it the ſame "day in Whitebread's chamber, at mrs. Sander's at "Wild-houſe, where, in a little chapel, they, and about "forty or fifty of the conſulters heard maſs, and received "the ſacrament, adminiſtered by one Barton, a jeſuit, and "thereupon took an oath of ſecrecy upon a maſs book, "which Mico held, while Whitebread pronounced the "words.

"4. That in purſuance of this reſolve, the deponent "did ſeveral times ſee Pickering and Grove walk in the "park together, with ſkrewed piſtols, longer than ordinary "piſtols, and ſhorter than ſome carbines: that they had "ſilver bullets champt, to render the wound incurable, and "that he ſaw Grove's bullets in May, and Pickering's in "Auguſt: Moreover,

"5. That before the conſult, in the month of March, "Pickering had a fair opportunity to ſhoot the king; but "the flint of his piſtol happened to be looſe, and he durſt "not venture to give fire; and becauſe by their negligence "this opportunity was miſſed, Pickering underwent pe-"nance, and had twenty or thirty ſtrokes of diſcipline, and "Grove was chidden for his careleſſneſs, as the deponent "had ſeen in Whitebread's letters.

"6. That Grove did go about with one Smith, to ga-"ther Peter pence, either to carry on the deſign, or to "ſend to Rome: that he ſaw the book wherein it was en-"tered, and heard the ſaid Grove ſay, he had been gather-"ing it."

Bedloe the ſecond witneſs ſwore,

Bedloe's de-poſition. "1. That he was employed for the ſpace of five years "as

" as a meſſenger, by the conſpirators, for carrying their 1678.
" letters to the confederates beyond ſeas, and bringing o-
" thers back, all, or moſt of them relating to the plot;
" for he had a way to open and read them, by which he
" fully informed himſelf of thoſe matters: and of the na-
" ture of the plot; he heard ſome of the conſpirators ſay,
" That they would not leave any member of any heretick
" in England, that ſhould ſurvive to tell hereafter, that
" there ever was any ſuch religion in England, as the pro-
" teſtant. And to confirm his intimacy with them, he
" ſwore the manner of his firſt coming to be employed by
" them; by means of a lady abbeſs of the Engliſh nunnery
" of Dunkirk, who having kept him ſix weeks in her
" convent, recommended him to ſir John Warner, as a
" proper inſtrument, who afterwards ſent him to father
" Harcourt to be inſtructed." And as a further confirma-
tion, he brought his brother James Bedloe, who ſwore he
knew nothing of the plot, but did teſtify, " That he had
" heard the priſoners often named as being of his brother's
" acquaintance; and that he had, on his brother's behalf,
" received ſeveral ſums of money from prieſts and jeſuits, as
" fifty or ſixty pounds at a time,

" 2. That about the latter end of Auguſt, this year, at
" mr. Harcourt's chamber, he met the priſoners, Ireland,
" Pickering and Grove, with ſome others, where he heard
" them diſcourſe, that ſince the four Iriſh ruffians had miſ-
" ſed killing the king at Windſor, Pickering and Grove
" ſhould go on with their deſign, and that one Conyers, a
" Benedictine monk, was to be joined with them; and
" that they ſhould endeavour to aſſaſſinate his majeſty in
" his morning walks at Newmarket; that they were very
" eager upon it; and mr. Grove, more forward than the
" reſt, ſaid, ſince it could not be done clandeſtinely, it ſhould
" be attempted openly; and that thoſe who ſhould fall in the
" attempt, had the glory to die in a good cauſe; but if they
" were diſcovered, the diſcovery could never come to that
" height, but their party would be ſtrong enough to bring it
" to paſs.

" 3. He ſwore that Harcourt told him, Grove was to
" have fifteen hundred pounds, and Pickering as many
" maſſes, at twelve pence a maſs, as came to the like
" ſum.

" 4. That at the ſame time, when the diſcourſe about
" killing the king was at Harcourt's chamber, there was
" likewiſe a deſign concerted amongſt them of killing ſeveral

1678. "noble perſons, and the particular parts aſſigned to every "one; as Knight, to kill the earl of Shaftſbury; Prichard, "the duke of Buckingham; Oneil, the earl of Oſſory; "Obrian, the duke of Ormond, &c.

The defence made by the priſoners conſiſted in:

The priſoners defence. State trials, II. p. 715. p. 701. "1. A peremptory denial of the whole. Grove particularly ſaid, as I have a ſoul to ſave, I know nothing "of this matter charged upon me. Pickering affirmed, "that he never ſhot off a piſtol in his life. And Whitebread, who was there during the trial, declared before "Almighty God, that Oates had not ſpoken three words of "truth.

p. 706. "2. A particular denial of their knowledge of, or acquaintance with, the witneſſes. Ireland denied that he "ever ſaw Bedloe, before that time in the court; and "challenged him to produce one witneſs that he had ever p. 713. "ſpoken to him. Pickering affirmed, that he never ſaw "Oates before; and offered to ſwear that he never was "in Bedloe's company. And Grove affirmed, that he had p. 702, 703. "ſcarce any acquaintance with Oates. Whereupon Oates "gave him a remarkable token, viz. that in December "laſt, when he was with him, he owned, that he and "three Iriſhmen had fired Southwark; and that they had a "thouſand pounds given them for it; whereof he had four "hundred pounds, and the others two hundred pounds a "piece.

p. 711, &c. "3. Ireland, againſt Bedloe's evidence, affirmed, he "was not in London the whole month of Auguſt, and part "of September; and offered to prove it by twenty witneſſes, that he was in Staffordſhire and Cheſhire all that "time: and urged Bedloe to name the place, and the company wherever they met together. But not only Bedloe "ſwore the contrary, but likewiſe Oates himſelf; but "what ſeemed more important, one Sarah Pain, formerly "a ſervant to Grove, ſwore that ſhe ſaw mr. Ireland at a "ſcrivener's door in Fetter Lane, about the 12th or 13th "of Auguſt.

p. 703. "4. Ireland, as well as Whitebread, objected againſt "the grand conſult of April the 24th, that hundreds could "prove that Oates was at St. Omer's all the months of "April and May; and offered to produce a certificate "from thence, under the ſeal of the college." But ſuch certificate was not allowed as evidence by the law of England. Laſtly, they endeavoured to blaſt the reputation of doctor Oates,

Oates, and prove him perjured, ſince he had ſaid before the council, that he knew no more than what he had already depoſed, and yet had ſince added other teſtimonies. As I have ſpoken of this objection, I ſhall not repeat here what has been ſaid. 1678.

In concluſion, all three were found guilty, and ſentenced to be drawn, hanged and quartered. But the execution of Ireland and Grove, was deferred till the 24th of January following, and that of Pickering to the 9th of May. They perſiſted all three to their laſt breath, to proteſt they were as innocent of the crimes for which they were condemned, as the child unborn. As all the papiſts that ſuffered for this conſpiracy made uſe of the ſame manner of expreſſion, to declare their innocence, it was believed, there was ſome equivocation in theſe words, though it could not be ſaid wherein it conſiſted. They are condemned, and executed.

If it is conſidered, that the evidence of Oates and Bedloe upon oath was poſitive, and that the priſoners alledged in their defence only bare negations, the jury will be eaſily juſtified in their verdict. For why ſhould they credit the aſſeverations and oaths of the accuſed, more than the depoſitions of the two witneſſes? And yet, it was afterwards, and ſtill is, pretended by many, that the condemned perſons were innocent. 1. Becauſe they aſſerted their innocence with their dying breath. 2. Becauſe it is taken for granted that Oates and Bedloe were great villains. 3. But the ſtrongeſt proof, according to thoſe who are of this opinion, is, that it was upon the trial of theſe three men that Oates in the reign of king James II. was convicted of perjury upon the depoſitions of twenty two witneſſes from St. Omer's, who ſwore that Oates was at St. Omer's, in the jeſuits college, the whole months of April and May, without ever ſtirring from thence. Moreover, above forty witneſſes from the counties of Stafford and Cheſter, depoſed upon oath, that father Ireland was in thoſe counties all Auguſt, and part of September. A reflection upon this trial. State trials, t. III.

To aſſiſt the reader to judge of this affair, I think it neceſſary to make ſome remarks, and the rather, as the diſpute upon this ſubject is not yet ended.

1. The defence by the Alibi [1] is liable to great inconveniences. ſince, there being two contradictory evidences,

[1] The proof of the alibi, is that whereby the priſoner endeavours to prove his being in a different place from that where the crime for which he ſtands indicted, was, or is ſuppoſed to be committed.

1678.

it leaves the judges doubtful what to reſolve. Generally if they come to a determination, it is not becauſe there is reaſon to believe one of the evidences more than the other, but becauſe equity requires that they incline rather to clemency than rigour. In the preſent trial, there were no depoſitions in favour of the Alibi, but only a bare allegation of the priſoners, and an offer of proof by abſent witneſſes. So, even ſuppoſing the innocence of the three accuſed perſons, the jury could not but find them guilty, unleſs they preferred the bare aſſeveration of the priſoners, to the oaths of the witneſſes, which is never practiſed. But in the trial of Oates, the proof of the Alibi was made uſe of to convict him of perjury, and ſentence him for it to a very rigorous puniſhment. It belongs to the lawyers to decide, whether this be exactly regular.

2. If the circumſtances of the times of theſe two trials are conſidered, it will be found, there is as much reaſon to believe, in reſpect of one as of the other, that prejudice and paſſion bore a great ſway. When the three jeſuits were condemned, the whole kingdom was alarmed with the noiſe of a plot, formed by that ſociety againſt the king, the government, and the proteſtant religion. The two houſes of parliament had ſupported the reality of this plot, by the unanimity of their votes, and the king himſelf ſuppoſed it in all his proclamations. It ſhould not therefore be ſtrange, that the judges and jury were prejudiced, and thereby inclined blindly to believe what Oates and Bedloe depoſed. But on the other hand, when Oates was convicted of perjury, the face of things was entirely changed. A very zealous catholick king was on the throne, and it was now dangerous to affirm, there was a popiſh plot in 1678. The papiſts had now the ſame ſuperiority over the proteſtants, as the proteſtants had in 1678 over the catholicks, and the judges were entirely devoted to the king. It ſuffices to ſay in a word, that Jefferies was his judge, who forgot nothing which he thought capable to prejudice the jury againſt the priſoner. In ſhort, Oates was condemned upon the evidence of twenty two witneſſes from St. Omer's, all ſcholars or dependents of the jeſuits, and upon that of forty other witneſſes from the counties of Cheſter and Stafford, amongſt whom it is only ſaid there were ſeveral proteſtants. Moreover, the queſtion was not only, whether Ireland was in thoſe counties during the months of Auguſt and September, but whether

ther he had never ſtirred from thence in that time [k]. Now it is hard to conceive that ſuch a negative propoſition can be proved by forty witneſſes. 1678.

Having thus repreſented what is urged on both ſides, I leave the reader to his own judgment. The affair of the conſpiracy muſt now be interrupted for ſome time, in order to proceed to another which made a great noiſe at this time. But it is neceſſary to look back a little on the ſituation of the Engliſh court.

The earl of Danby lord treaſurer, was conſidered as the king's prime miniſter. He had a great genius, and a ſolid judgment, and as he diſapproved of the principles of the cabal, endeavoured to diſengage the king from the methods, he had been led into by their counſels. This drew upon him the enmity of the duke of York, and all the French faction, with whom joined the lord Ruſſel, and other male-contents in the houſe of commons; and among the peers, the earls of Eſſex and Shaftſbury, whilſt the duke of Monmouth, and the ducheſs of Portſmouth did their utmoſt to leſſen his credit with the king. In a word, a ſtrong party was formed againſt him, who were bent to ruin him at any rate. Theſe enemies were alſo joined by another, who had been his moſt intimate friend. This was mr. Montague ambaſſador in France, who aſpiring to the office of ſecretary of ſtate, took it very ill, that the treaſurer had engaged to bring in ſir William Temple. Mr. Montague was the treaſurer's moſt dangerous enemy, becauſe he had private letters in his hands from that miniſter, and though he could not divulge them without great injury to the king, this gave him no uneaſineſs, becauſe reſolving to throw himſelf into the party againſt the court, which was moſt prevalent in the parliament, he knew he ſhould be protected, even againſt the king himſelf. To this end, he got himſelf elected member for Northampton, and ſuddenly leaving Paris, without the king's conſent or knowledge, came to London, and took his ſeat in the houſe. The king offended at ſo ſtrange a proceeding, and being alſo informed by the Swediſh ambaſſador of the deſign of the treaſurer's enemies, and their intention to make uſe of his letters, ſent the 19th of December the following meſſage to the houſe of commons,—— "That "upon information that mr. Montague, a member of that "houſe, and late ambaſſador in France, had held ſeveral

The earl of Danby's affair. Temple. Burnet, p. 439, &c. Kennet, p. 355. Echard. Danby's letters.

Kennet, p. 355. Burnet, p. 440. R. Coke.

[k] A woman ſwore ſhe ſaw Ireland in London, about the middle of Auguſt. Burnet, p. 443.

"con-

1678. "conferences with the pope's nuntio there, without any di-
"rections or inſtructions from his majeſty; his majeſty to
"the end that he might know the truth of that matter, had
"given orders for the ſeizing of mr. Montague's papers [l]."
The leaders of the oppoſite party to the king, made great objections to this meſſage, pretending, it ought to be firſt known, whether the information had been given upon oath and what was the nature of mr. Montague's crime, before they could conſent to the ſeizure of his papers. Upon this mr. Montague acquainted the houſe, "That he had in his
"cuſtody ſome papers, which, as he conceived, might tend
"very much to the ſafety of the king's perſon, and the
"preſervation of the government." A committee was immediately appointed to bring the writings to the houſe, which being accordingly done, and mr. Montague ordered to ſelect ſuch of them as he thought for the ſervice of the houſe, and diſpoſe of the reſt as he pleaſed, he produced two letters out of many others, both ſubſcribed, Danby, and ſent to him at Paris, on the negotiation of the money which his majeſty expected from the king of France, at the bottom of one of which were theſe words, This letter is writ by my order, C. R. [m]. Theſe letters diſcovering to the houſe, from whence had proceeded the king's delays with regard to the war againſt France, they immediately reſolved, "That
"there was ſufficient matter of impeachment againſt Tho-
"mas earl of Danby, lord treaſurer of England." and within two days, by the help of mr. Montague, the articles of impeachment were drawn up, and ſent to the houſe of lords. But this impeachment was rather againſt the king

Kennet, p. 355.

Danby's lett.

Dec. 21. Kennet, p. 355. Burnet.

[l] Burnet ſays, the earl of Danby having broke with Montague, was apprehenſive Montague might accuſe him, ſo reſolved to prevent him. Jenkins, then at Nimeguen, writ over, according to a direction ſent him, as was believed, that he underſtood Montague had been in a ſecret correſpondence with the pope's nuntio at Paris (Montague, it ſeems, had made uſe of him, and given him money, which he loved, for ſuch ſecrets as he could draw from him.) Upon Jenkins's letter, the king ſent the above meſſage to the commons. This was a device of the lord Danby's, to find his own letters and deſtroy them, and then to let the proſecution drop. But Montague had put a box, in which the letters were, in ſure hands out of the way. Whilſt the debate about the meſſage was in hand, the box was brought to him, which he opened, and took out two of the lord Danby's letters, that contained inſtructions to him to treat with the king of France for three hundred thouſand pounds a year, for three years, if a peace ſucceeded; ſince it would not be convenient for the king to meet a parliament in all that time, and he was charged to mention no part of this to the ſecretary of ſtate. Theſe laſt words made very much for ſecretary Coventry, ſince now it appeared, that he was not truſted with theſe ill practices, p. 440, 442.

[m] The firſt was dated January 17, 1677-8, and the ſecond March 25, 1678.

himſelf, than the earl of Danby, who had only acted by his expreſs orders. For, though in the impeachment were inſerted ſeveral articles which only concerned the earl, it was not in thoſe that the ſtrength of the impeachment conſiſted, but in thoſe relating to the negotiation with France, concerning the king's penſion, on pretence that the lord treaſurer had acted without order; though the contrary was not doubted [n]. But the intention was to oblige the earl for his own ſafety to plead the king's orders for what he had done. This perplexed him extremely, for he could not juſtify himſelf without accuſing the king, and he could not accuſe the king, without entirely forfeiting his favour. Eſpecially as the king had earneſtly deſired him not to divulge his ſecrets, offering him letters of pardon to ſcreen him from the parliament. He therefore reſolved to conceal the king's private orders upon this affair, but however could not help ſending two of Montague's letters to the commons, which diſcovered him to be the principal author of this negotiation. Theſe letters alſo ſhowed, that the court of France conſidered the lord treaſurer as their great enemy, whoſe ruin was to be effected, in order to have the king of England at their diſpoſal. But the commons were ſo enraged againſt the earl, that they would not ſuffer theſe letters to be read. On the other hand, when the articles of his impeachment were read in the houſe of lords, he in a ſpeech frequently inſinuated, that he could make ſuch a defence, as would admit of no reply [o]. Every one knew what he meant, but it is certain, he was not ſo much aimed at as the king himſelf, and that it was intended by this means, more than by the plot itſelf, to ſhow the publick, that the king and the duke of York were the real authors of all the evils of the kingdom, and in a word, the heads of the conſpiracy to ſubvert the government and proteſtant religion. The king eaſily perceived the deſign of the earl of Danby's impeachment, and therefore, before the lords could reſolve,

1678.

Dec. 23.

The king prorogues the parliament.

[n] The ſubſtance of the articles againſt him, was, 1. That he had treated with foreign princes and ambaſſadors, without the privity of the ſecretaries of ſtate. 2. Endeavoured to ſubvert the antient form of government; and deſigned to raiſe and keep up a ſtanding army. 3. Attempted to hinder the meeting of parliaments. 4. Concealed and ſuppreſſed the evidence for the popiſh plot. 5. Had waſted the king's treaſure, and iſſued out great ſums of money for unneceſſary penſions, and ſecret ſervices; to the value of two hundred and thirty one thouſand, ſix hundred and two pounds, in two years. 6. Procured for himſelf conſiderable gifts and grants. Kennet, p. 355.

[o] He affirmed, that he had never done any thing of great moment, for which he had not always had his majeſty's command. Kennet, p. 356.

whether

1678. whether the earl of Danby ſhould be ſent to the Tower, came to the parliament the 30th of December, and prorogued it to the 4th of February, after paſſing a ſingle act againſt the papiſts.

The earl of Sunderland made ſecretary of ſtate. Feb. 9. Temple's mem. Kennet, p. 356.

Immediately after the prorogation of the parliament, ſir Joſeph Williamſon ſecretary of ſtate, reſigned the ſeals into the hands of the king, who appointed Robert Spencer earl of Sunderland in his room, though he had given hopes of the place to ſir William Temple, then ambaſſador in Holland, and had called him over for that purpoſe. But Temple at his arrival found the poſt filled, the earl of Sunderland having paid Williamſon ſix thouſand pounds, and five hundred guineas, which Temple was not able or willing to give. Shortly after, the king diſmiſſed the earl of Danby, and put the treaſury into commiſſion [p].

The earl of Danby reſigns. Id. p. 357.

1678-9. After the prorogation, the king was extremely embaraſſed, not only by reaſon of the earl of Danby's impeachment, which properly fell upon him, but alſo by freſh diſcoveries, both of the plot and Godfrey's murder. The 21ſt of December, Miles Prance, a goldſmith of London, a papiſt, who had ſometimes worked for the queen in her chapel of Somerſet-houſe, was taken up by a warrant from the council, upon the information of one Wren, a lodger in his houſe, that he was concerned in the murder of Godfrey. Though it was very poſſible for Godfrey to have been murdered by perſons not in the plot, yet it was generally believed, the murder was committed by papiſts, and that if the authors could be diſcovered, it would be a great means to unravel the plot. Wherefore the two houſes had appointed a committee, of which the earl of Shaftſbury was chairman, to enquire after the authors of the murder.

Prance taken up for the murder of ſir Edmundbury Godfrey. Burnet, p. 445.

In this affair as in that of the plot there are, among the hiſtorians, two parties directly oppoſite, one aſſerting, the murder was committed by papiſts, and the other maintaining the contrary. Theſe, in ſupport of their opinion, relate numberleſs facts, with ſo many circumſtances, that they would be more than capable of proving what they advance, could their faithfulneſs and alſo the certainty of the facts be entirely relied on. But it is very ſurpriſing, to ſee continually the truth of their opinion ſuppoſed, without any other

[p] The commiſſioners were, Arthur Capel earl of Eſſex, Lawrence Hyde the earl of Clarendon's brother, ſir John Ernle, ſir Edward Deering, and Sidney Godolphin. Kennet, p. 357.

——This year died Henry Oldenburg, ſecretary to the royal ſociety, firſt publiſher of the philoſophical tranſactions; and Andrew Marvel.

proof

proof than a great many unwarranted facts. This may paſs when we write only for one of the parties, ever ready to believe what is advanced by an hiſtorian of their own ſide; but as I write for foreigners, to whom the actors and the authors are equally unknown, I am not to ſuppoſe true, facts of which I ſee no proof. I do not hereby pretend to inſinuate to my readers, that all theſe facts are falſe, but only that I have not ſufficient reaſons to believe them true, and conſequently ought not to form any ſuppoſition upon them. 1678-9.

As for Prance the goldſmith, it is readily ſuppoſed, he was maliciouſly accuſed by Wren, becauſe Prance had forced him to pay fourteen months rent, due to him for lodging, and that having at firſt with execrations denied the murder, he was at laſt compelled by threats and ill treatment to confeſs that he knew the whole matter, and to give a particular account of all the circumſtances. If this ſuppoſition was well proved, or at leaſt ſupported by the teſtimony of any cotemporary perſon of reputation known in London, there would be no occaſion to ſeek for other proofs. But, as I have ſaid, theſe facts are declared as undeniable, without any warrant. For my part, who ſeek not to impoſe upon my readers, I ſhall only inform them of the facts univerſally acknowledged, adding alſo ſuch as are doubtful and advanced without proof, that the reader may know what he is to adhere to. L'Eſtrange. Echard, III. p. 504.

Prance being arreſted, as I ſaid, was carried to Weſtminſter to be examined before a committee of the lords. Dec. 21.

Here a deciſive fact is begun to be advanced without any authors, namely, that Prance was firſt carried into a little room, where ſeveral perſons went to ſee him, and among others Bedloe, who knowing him not, privately enquired which was the priſoner? When he was informed, he withdrew to an eating houſe, in the neighbourhood, where Prance was brought ſome time after, till he ſhould be called to his examination. As ſoon as Bedloe, who was purpoſely planced in the ſame room, had caſt his eyes upon him, he cried out, "This is one of the rogues that I ſaw with a dark lanthorn "about the body of ſir Edmundbury Godfrey; but he was "then in a perriwig." ibid.

If any care had been taken to prove that Bedloe had aſked which was Prance, and that he purpoſely waited for him in the eating houſe, where he knew he was to be brought, there would be no need of other proof, and the caſe would

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1678-9. be decided. But this fact entirely reſts upon the authority of the hiſtorian who relates it [q].

He denies all. Dec. 22. Prance being carried to the committee of lords, Bedloe directly charged him with the murder of Godfrey, and Wren with being out of the houſe while the body was miſſing. Prance denied all with imprecations upon himſelf. But as the bare denial of a priſoner ought not to carry it againſt the teſtimony of two witneſſes, the lords thought fit to ſend him to Newgate, where he was put in the condemned hole, loaden with heavy irons, and, ſays my author, left all night to conſider what further anſwers to make, and whether he would venture his ſoul or his body.

Is ſent to Newgate.

L'Eſtrange. Echard, III. p. 505.

Herein manifeſtly appears the prejudice of the hiſtorian, who cannot have known, that the intention of the lords was to leave Prance to conſider, whether he would venture his ſoul or his body. He could ſay this but by virtue of his ſyſtem, which ſuppoſes, that the committee was reſolved at any rate, to make Prance an evidence to the murder of Godfrey.

But here is another fact ſtill more important, advanced with the ſame aſſurance without any authority.

Ibid. The next morning early, a man entered the condemned hole, where Prance was; and laying down a paper upon a form juſt by him, retired; ſoon after came in another with a candle, who ſet it down and left him. By that light he read the paper, wherein he found brief hints to what he was to ſwear when he ſhould be called to his ſecond examination, with a menace of being hanged if he did not confeſs what was expected of him. Prance, ſays the author, preſently imagined this to be a contrivance of the lord Shaftſbury.

Ibid.

A fact of this nature (which paſſed in a dungeon where there is but one man, and where two others, at ſeveral times, only go in and out, without ſaying a word, one to bring a paper, the other a candle) can only be known by Prance's own confeſſion. Now it is certain, Prance never owned any ſuch thing; if he had, it would aſſuredly have been ſaid, how and upon what occaſion. But if this be ſo, how can it be ſaid that Prance imagined this to be a contrivance of the earl of Shaftſbury? Is it a thing ſo common,

[q] Our author means Echard. Burnet ſays, Prance being taken up on Wren's information, was carried to Weſtminſter. Bedloe accidentally paſſed by, not knowing any thing concerning him: and at firſt ſight, he charged ſomebody to ſeize on him: for he was one of thoſe, whom he ſaw about Godfrey's body, p. 445.

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to know what paſſes in a man's private thoughts, that it is not worth the while to ſay how this knowledge was attained? 1678-9.

I proceed to other facts which are not conteſted. Prance after he had continued in priſon all night, and part of the next day, told captain Richardſon, maſter of Newgate, that he had matters of great moment to communicate to the earl of Shaftſbury chairman of the committee. He was, according to his requeſt, carried the ſame night to the earl, who, in preſence of three other perſons, examined him five or ſix hours. It is pretended that the earl abuſed and menaced him, telling him, "That there were great ones concerned, "and he muſt diſcover them too; for the little ones ſhould "not ſerve his turn," bidding him, "not ſpare the king "himſelf." It does not however appear that theſe menaces made much impreſſion upon Prance, ſince his depoſitions reached only perſons of low condition. However, he diſcovered part of what he ſaid he knew, with a promiſe of a more ample confeſſion if he might have his pardon. He ſigned his depoſition, and was returned to priſon. Upon this the lords obtained for him from his majeſty a full and general pardon. Then a committee of the lords was ſent to Newgate to acquaint him with it, and to examine him. The commons likewiſe ordered him to be examined by a committee of ſecrecy. Theſe two examinations being made with great ſtrictneſs, Prance was carried the next day to Whitehall, to be examined before the king and council. Id. p. 506. Prance confeſſes, Dec. 22. Ibid.

In this examination he accuſed five perſons, as actually preſent at the murder; namely Girald and Kelley, two Iriſh prieſts; Robert Green, cuſhion man to the queen's chapel; Laurence Hill, ſervant to dr. Godden treaſurer of the chapel; and Henry Berry, porter of Somerſet-houſe. Being aſked, "Why he gave ſo different a relation to the com-"mittee of lords from what he now ſo freely confeſſed?" He anſwered, "That he was not then ſure of his pardon." Being further aſked, "Why he came not in upon the pro-"clamation and reward thereof?" He ſaid, "He was a-"fraid to truſt it." As he had been very particular concerning the circumſtances of the time, place, and manner of the murder, the king to be aſſured of the truth, appointed the duke of Monmouth, the earl of Oſſory, and the vice-chamberlain, to go with Prance to Somerſet-houſe, and make him ſhow them the places where the things were acted. The author ſo often mentioned, adds what deſerves to be remembered. Prance, ſays he, was very punctual in naming Ibid. L'Eſtrange: Echard, III. p. 506.

1678-9. naming and ſhowing ſome of the rooms, but ſo uncertain and dubious in ſome particulars, eſpecially about the chief room, that when the duke of Monmouth privately aſked the earl of Oſſory, "what he thought on it?" The earl anſwered, "It was all a wheat [r]." I purpoſely take notice of this particular, becauſe it is directly contrary to the report made to the council, as will preſently appear.

In the afternoon, Prance, in the preſence of the council, was confronted with Green, Berry, and Hill, who denyed every ſyllable of the charge, and Prance ſtood as ſtoutly to every point of the accuſation. After which he was ſent back to Newgate for four or five days.

Echard, III. p. 507. The ſame authors ſay here, that his irons were ſometimes off and ſometimes on, according as he was in a diſcovering temper. That is to ſay, the jailor by the ſecret orders of the committee, treated him well or ill, as he was diſpoſed to retract or adhere to his depoſition. Another particular is likewiſe added, that he was often viſited by members of both houſes, who ſometimes ſeverely threatened him when his evidence did not agree with Bedloe's, and particularly becauſe he would not own the periwig which Bedloe had firſt mentioned. But theſe particulars tending to ſhow that Prance was forced to depoſe what he knew not, are ſupported by no author, no evidence, no authority. There are no other vouchers but the hiſtorians who report theſe particulars, without vouchſafing to inform their readers from whence they received them.

He retracts before the king. Dec. 29. Burnet, p. 446. Echard, III. p. 507. After Prance had remained four or five days in Newgate, he was once more carried to be examined before the king in council. But he made it his requeſt that he might firſt wait upon the king himſelf. Upon this Richardſon had orders to carry him to mr. Chiffinch's lodgings, where the king came. The king taking Prance into a room by himſelf, after ſome time, opened the door, and bad Chiffinch and Richardſon take notice of what Prance ſaid; who being called to ſpeak out plainly, he declared, "That the "men he had ſworn againſt were all innocent, and that "all he had ſworn againſt them was falſe," which he affirm-

Prance retracts all before the king. Echard, III. p. 507.

[r] In an account of the plot printed in 1680, it is ſaid, That Prance gave ſuch an exact account of the very ſpot upon which the murder was committed; where he himſelf, where Berry ſtood; as alſo the door, ſtairs, dark entry, &c. mentioned in his narrative, that his majeſty's commiſſioners returned very well ſatisfied with the truth of his relation and confeſſion, p. 68.

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ed (ſays one) with great paſſion and aſſeveration. Upon which the king aſked him, "Upon your ſalvation is it ſo?" He replied, "Upon my ſalvation the whole accuſation is "falſe." He was then carried before the council, where he declared to the ſame effect, and was aſked, "What in- "ducement he had to his former ſtory,——who put him "upon it?" He ſaid, "No body prompted him; he only "knew the men he ſwore againſt; he never ſaw Bedloe be- "fore he was taken up; he knew nothing of the plot nor "of the murder;——and could not reſt for the ſtory he "had told. But Wren owed him money, and threatened "him becauſe he dunned him for it, and ſo haired him into "it." He was then remanded to priſon. 1678-9.

After ſo ſerious an aſſeveration, no man of ſenſe can imagine, that catholicks, or courtiers had gained Prance to retract his firſt depoſition. For this would be only to alledge a bare ſuſpicion without proof. But to have it believed, that the committee, and ſeveral members of both houſes, had threatened Prance, in caſe his depoſition agreed not with Bedloe's, there is no need of proof, and the bare relation of an hiſtorian who writ above thirty years after, is more than ſufficient for that.

Unhappily Prance retracted once more. But this ſignifies nothing, becauſe he denied what he had lately ſaid before the king and council, by reaſon of the exceſſive torments he was made to ſuffer, till he had promiſed to depoſe whatever was deſired. Let us hear what a famous hiſtorian [s] ſays on this occaſion [t].

"Prance, excepting juſt after his return, ſtood firm and "immoveable in his denial, againſt all terrors and temp- "tations for about twelve days, from the 29th of Decem- "ber to the 11th of this preſent January. During which "ſpace of time, his uſage was barbarous, and more like L'Eſtrange, Echard, III. p. 507.

[s] Echard; who has borrowed the following paragraph, as well as ſeveral others from ſir Roger l'Eſtrange, without naming his author.

[t] Burnet ſays, after Prance had declared before the king and council, that his firſt confeſſion was all a fiction, he was carried back to priſon, but immediately ſent the keeper of Newgate to the king, to tell him, that all he had ſworn was true, but that the horror and confuſion he was in, put him on denying it. Yet he went off from this again, and denied every thing. Dr. Lloyd was upon this ſent to talk with him. At firſt he denied every thing to him. But dr. Lloyd told me, that he was almoſt dead through the diſorder of his mind, and with cold in his body. But after that dr. Lloyd had made a fire, and cauſed him to be put in a bed, and began to diſcourſe the matter with him, he returned to his confeſſion; which he did in ſuch a manner, that dr. Lloyd ſaid to me, it was not poſſible for him to doubt of his ſincerity in it, p. 446.

1678-9. "the Romiſh inquiſition, than the methods of a free nation. "For nine days at leaſt his caſe was deplorable; and what "with the deadly cold and naſtineſs of the place, the diſ-"treſs of his condition, the agony of his thoughts, under "the horror of bringing new guilt upon his conſcience, and "the galling weight of his irons, he lay in ſuch torments "both of body and mind, that he ſpent his hours in roaring "and groaning, frequently and pitifully crying out, Not "guilty, not guilty! No murder, no murder! He uſed the "ſame outcries, or clamours, at leaſt, to that effect, ſo "often, that the impoſers had no way to cover the ſcandal, "and the inhumanity of their treatment, but either by im-"puting the anguiſh of a wounded conſcience to the ravings "of a diſtempered brain; or by converting the marks of a "true repentance into the ſtory of a counterfeit madneſs. "But when things were at the worſt, Prance was now and "then, as the good humour prevailed, eaſed of his irons, "comforted with good words and promiſes, and no artifice "omitted to bring him to a proper underſtanding. The "keepers were then under the ſole direction of a certain "ambulatory committee, when and what degree to ſqueeze, "to pinch, to eaſe, to ſhackle, to comfort, or to torment "their priſoners; and moſt things were done according to "the particular orders of that cabal. It would be too te-"dious to recite all the ſufferings of this unfortunate man, "who being unable to hold out as Coral had done, and "finding his life in the ſame danger with thoſe he had ac-"cuſed, he at length ſubmitted to the temptation, and "upon a new aſſurance of pardon, he promiſed to ſtand by "his former evidence. Immediately upon this, on the "11th of January, his irons were knocked off, and he "was removed from hard boards, and a diſmal cold "room, to a fine lodging and a curious bed, with variety "of the beſt meats and drink. Here having pen, ink "and paper, and the aſſiſtance of his friend one mr. Boyce, "he finiſhed his ſtory, and prepared for being a compleat "evidence againſt Green, Berry, and Hill, who were "ſhortly after to come upon their trials."

As the author of this paſſage is not content with inſinua-ting, that Prance was compelled by torments to ſupport his ſecond depoſition, but openly undertakes to prove it by facts which are entirely deciſive, it is abſolutely neceſſary for the reader's inſtruction to make ſome remarks on this ſubject.

1. When

1. When in a controverted matter, an hiſtorian reports facts to which he was not an eye witneſs, and which however are capable of deciding for or againſt, the reader has a right to expect from him ſome teſtimony, or ſome author; in a word, to be informed, how he came to the knowledge of ſuch facts. But here, we ſee neither teſtimony nor author, in the text or margin. 1678-9.

2. It appears from this very relation, that all the ill uſage of Prance, conſiſted in keeping him nine days in irons. If this is like a Romiſh inquiſition, it may be affirmed, England has a conſtant inquiſition, ſince priſoners committed for murder, or other great crimes are never treated otherwiſe. Beſides, it will be ſeen hereafter, that Prance denied his ever receiving any ill uſage in priſon, or his wanting any thing. As to the torments of his mind, and his roarings and groaning, ſuppoſing them true, only Prance himſelf could know the motives, and it muſt be ſurpriſing to ſee an author talk of what paſſed in Prance's mind, as if he had been his confident.

3. He ought to have explained what was this ambulatory committee, from whom the keepers received directions; for it is well known, that during the prorogation of the parliament (and all this paſſed at the time of the prorogation) the keeper of Newgate could obey no orders but thoſe of the king, or at leaſt of the courts of juſtice.

4. Laſtly, in proof of a fact ſo remarkable and deciſive, we have only the bare aſſeveration of the author, whoſe exaggeration is kept up with expreſſions the ſtrongeſt and moſt capable to give the readers terrible ideas of the torments endured by Prance, which, however, amount to a nine days impriſonment in irons. Beſides, the author poſitively ſays, that Prance was gained without telling us by whom, or how, or giving the leaſt warrant for what he advances. I do not ſay that all this is falſe, for I know nothing of it. But as it is not forbid to rely on the faithfulneſs of the author, or of thoſe from whom he has received his informations; ſo neither is it forbid to doubt of it, and to believe that he might be prejudiced by party ſtories, which are implicitly ſwallowed or rejected, according as they are advantageous or prejudicial to the ſide eſpouſed by thoſe who hear them.

Bedloe had given but a very imperfect information of the murder of Godfrey. He ſaid indeed, it was committed in Somerſet-houſe, and that he had ſeen the dead body. But as to the other circumſtances, he only ſpoke of them as received from perſons who had abſented themſelves; whereas

1678-9. Prance delivered in writing a more regular and full account, which contained preciſely his depoſition before the king in council, and was to this effect:

The ſubſtance of Prance's depoſition concerning ſir Edmundbury Godfrey's murder. Jan. 2. Prance's examin. Burnet, p. 445. Echard, III. p. 508.

"Girald, Kelly, Green, Berry, Hill and Prance, with "the approbation of ſome others, after ſeveral conſulta- "tions [u], had reſolved to murder ſir Edmundbury Godfrey, "as being a bitter perſecutor of the catholicks, an active diſ- "coverer of their deſigns, and a particular enemy to the "queen's ſervants. Thus determined, on Saturday the 12th "of October, Hill went to ſir Edmundbury Godfrey's houſe "in the morning, and talked with him in private [w]. Then "taking his leave, he went to Girald, and Green, and with "them ſtaid hard by, waiting for the gentleman's coming "out, which he did about ten or eleven, all alone as "uſually. They dogged him to ſeveral places, till about "ſix or ſeven in the evening, when Green went to Prance's "houſe, and told him, they had ſet him near St. Cle- "ment's; and that Prance muſt make all haſte to the wa- "ter-gate, at Somerſet-houſe, where he ſhould find Kelly "and Berry, which he did; and they three waited there till "about nine a clock: when of a ſudden Hill came running "and ſaid, He was coming, and they muſt pretend a quar- "rel, and he would fetch him in. While Kelly and Berry "were in a ſeeming ſcuffle, Hill, at the gate, ſtopped ſir Ed- "mundbury Godfrey, and entreated him for God's ſake to "come in, for two men were a quarrelling, and he was "afraid there would be bloodſhed. The gentleman being a "magiſtrate, did at laſt conſent, and Hill entered the gate "firſt, to ſhew him the perſons; and after them followed "Girald and Green; while Prance watched the water-gate, "and Berry was to ſecure the paſſage by the chapel. But "firſt, he and Kelly, the pretended combatants, ſtood "about the end of the rail by the queen's ſtables; and as ſir "Edmundbury went down towards them, Green ſuddenly "threw a twiſted handkerchief about his neck, and im- "mediately all four pulled him down and ſtrangled him, ſo "as he could make no noiſe; after which they threw him "behind the rail, and gave him ſome violent punches on the

[u] Prance named an alehouſe where they uſed to meet, and the people thereof did confirm this of their meeting there. Burnet, p. 445.

[w] He went to ſee whether Godfrey was gone out, and ſpoke to his maid; who, upon Hill's being taken, went to Newgate, and in the crowd of priſoners diſtinguiſhed him, ſaying, he was the perſon that aſked for her maſter that morning. Ibid——They had watched ſir Edmundbury for ſeveral weeks, before they could find an opportunity of putting their villainous deſign in execution. MSS.

"breaſt

"breaſt with their knees, and Green with all his force 1678-9.
"rung his neck almoſt round. Prance and Berry being
"come to them, when he was quite dead, they all helped
"to carry the body into dr. Godden's lodgings, where Hill
"lived, and where they brought him up five or ſix ſteps,
"into a little room on the right hand, and there left him
"that night, and Sunday all day and night. On Monday
"night, Hill and ſome others removed him into a room in
"the upper court, where Prance was ſhewn the body by the
"light of a dark lanthorn, and where Bedloe ſwore he ſaw
"Prance. On Tueſday night, they carried him to another
"room in the long entry, over againſt dr. Godden's lodg-
"ings; and on Wedneſday night they removed it to the
"little room where it was firſt laid. Having kept the body
"above four days and nights, Girald and Kelly adviſed to
"have it carried into the fields, and leave him run through
"with his own ſword, that he might be ſuppoſed to have
"murdered himſelf; and therefore his money, rings, &c.
"were all to be left with him. This being agreed, they
"reſolved to carry him out that night; and accordingly
"Hill procured a ſedan, or chair, into which they put the
"body about twelve a clock. Berry the porter, having in-
"vited the centinels into his houſe, opened the gate, and
"Prance and Gerald carried out the ſedan [x]. Thus, ſome-
"times they two, and ſometimes Kelly and Green, carried
"it up towards Soho-fields, hard by the Grecians church;
"and there Hill attending with a horſe, they ſet the body up
"before him, and left the ſedan in ſome unfiniſhed build-
"ings in that place; whereupon Gerald ſaid, I wiſh we
"had a hundred ſuch rogues as ſecure as this. Then Prance
"being a houſekeeper, returned home; and the other four
"went on, one leading the horſe, Hill riding and holding
"the body [y], and the other two walking by. They carried
"him to a place called Primroſe-hill, about two miles out
"of town, where they left him in a ditch, with his own
"ſword run through his body by Gerald himſelf, in the ex-
"act poſture of one that had murdered himſelf."

This depoſition, which was immediately publiſhed, met with an entire belief from the people. But afterwards, when the popiſh party prevailed, ſeveral authors endeavoured to find many miſtakes and inconſiſtencies in it, and even main-

[x] One of the centinels ſwore he ſaw a ſedan carried in; but none ſaw it carried out. Burnet, p. 446.

[y] They had agreed to ſay, in caſe they ſhould meet any body, that it was a drunken man they were carrying in that manner. MSS.

1678-9. tained, that it was not penned by Prance, but by ſome abler hand. As at firſt it was dangerous to ſay, that Prance was a falſe witneſs, it was afterwards no leſs dangerous to maintain, he had ſpoke the truth. Hence ſome adhere to this depoſition, and others to the writings afterwards publiſhed againſt it, to demonſtrate its falſhood.

Proclamation againſt the papiſts. Echard, III. p. 509.

While theſe things were tranſacted, the king was by no means at eaſe. The plot (of which he was ſuſpected to be the author, at leaſt in what concerned the government and religion) and the impeachment againſt the earl of Danby, which entirely reflected upon him, could not but greatly perplex him. To divert a little theſe ſuſpicions, he publiſhed, the beginning of January, ſeveral proclamations againſt the papiſts, who, immediately after the prorogation of the parliament, were returned to London and Weſtminſter. By another proclamation, he recalled all his ſubjects from the foreign ſeminaries; but theſe were remedies little capable of curing the people's ſuſpicions and fears.

Jan. 3. Kennet, p. 356.

Jeſuits taken up upon the information of Dugdale. Echard, III. p. 509. Burnet.

About this time was diſcovered a college of jeſuits at Lower-Come in Herefordſhire. Moreover, a freſh witneſs appeared, one Stephen Dugdale, who pretended to make new diſcoveries in the plot, and accuſed five jeſuits, and one prieſt [z]. This obliged the king to publiſh a new proclamation againſt Evers, Gawen, Vavaſor alias Gifford, Leviſon, Jeſuits, and Broadſtreet a prieſt, with a promiſe

z Burnet gives the following account of this Dugdale and his evidence. He had been the lord Aſton's baily, and was a man of ſenſe and temper. He behaved himſelf decently, and had ſomewhat in his air and deportment that diſpoſed people to believe him: ſo that the king himſelf began to think there was ſomewhat in the plot, though he had little regard to Oates or Bedloe. He made a diſcovery of a correſpondence that Evers held with the jeſuits in London, who had writ to Evers of the deſign of killing the king, and deſired him to find out proper men for executing it. Three other jeſuits preſſed Dugdale to undertake it, promiſing he ſhould be canonized for it, and the lord Stafford offered him five hundred pounds, if he would ſet about it. Dugdale's evidence was confirmed by one circumſtance. He had talked in the country of a juſtice of peace in Weſtminſter that was killed, on the Tueſday after Godfrey was miſſed; ſo that the news of this muſt have been writ from London on the Saturday night's poſt. He did not think it a ſecret, ſo talked of it as news in an alehouſe. The two perſons, he ſaid he ſpoke to, remembered nothing of it, but ſeveral others ſwore they had heard it. He ſaid moreover, that the duke had ſent to Coleman when in Newgate, to perſuade him to diſcover nothing, and deſired to know whether he had ever diſcovered their deſigns to any other perſon; and that Coleman ſent anſwer, that he had ſpoke of them to Godfrey, but to no other man, upon which the duke gave order to kill him. p. 444.

of

of a hundred pounds to any that ſhould apprehend Evers, and fifty pounds for each of the reſt [a]. 1678-9.

Mean while, as the time for the meeting of the parliament approached, the king perceiving that in the preſent diſpoſition of the commons, he ſhould receive no advantage from them, but rather new mortifications, on the 24th of January diſſolved the parliament by proclamation [b], promiſing withal, to iſſue out writs for the calling of a new parliament the 6th of March following. Thus ended the long parliament, which had continued almoſt eighteen years, and had been for twelve years ſo favourable to the king. Never parliament had been ſo liberal to any king, or carried the prerogative higher. If Charles II. had not purſued methods ſo contrary to the intereſts of the kingdom, he would never have loſt the affection of this parliament, which ſtudied only to pleaſe him, and give him the moſt effectual proofs of their zeal. But when, in proceſs of time, they diſcovered, that the king had ill deſigns againſt the government and the eſtabliſhed religion, which he had ſufficiently ſhown by his two wars againſt Holland, and his intimate union with France, they began to conſider him as an enemy to the ſtate, whoſe deſigns and meaſures were to be broken. The letters, produced by mr. Montague in the parliament, fully convinced the moſt incredulous, that the king was a penſioner of France, and ſacrificed the intereſt of England to that crown. It is therefore no wonder, that the parliament credited the diſcovery of a plot, which was ſo natural a conſequence of the king's deſigns, now entirely believed. Indeed, the firſt article of the plot, concerning the killing of the king, might be doubtful and uncertain; wherefore the parliament willingly left it to the deciſion of the courts of juſtice. But the two laſt, relating to render the king abſolute, and ſubverting the eſtabliſhed religion, needed no other proofs than thoſe the king had given. Beſides, the duke of York being a profeſſed papiſt, and having a great influence in the king's counſels, it was not difficult to conceive, that he being ſuch a zealot for his religion, would loſe no occaſion of promoting it: and this his ſecretary's letters plainly demonſtrated. Indeed, the parliament was compoſed chiefly of rigid epiſ-

The king diſſolves the parliament. Kennet, p. 356. Burnet.

Calls another.

A reflection upon this parliament.

[a] Gawen was ſoon after taken into cuſtody, but the reſt abſconded, Echard.

[b] Some think, this parliament was diſſolved, on purpoſe to protect the popiſh lords in the Tower, and divert, if poſſible, the noiſe of the popiſh plot: or elſe to cover the duke of York from the reſentment of the commons, and the general indignation of the people, Kennet, p. 356.

1678-9. copalians, who perhaps cannot be vindicated in their perſecution of the preſbyterians. But however they were not willing to ſacrifice the proteſtant religion, and the liberties of the nation, to their paſſion againſt preſbyterianiſm.

Echard, III. p. 511. From hence flowed the quarrels between the king and the parliament, the mortifications ſo frequently given him, and his diſſolution of it at laſt, though he had in it ſo many creatures, purchaſed either with money or penſions. At firſt, this trade was ſecretly carried on, but after Clifford's advancement to the treaſury, it was practiſed ſo openly, that every man's name and price were publickly known. Notwithſtanding all this, when once the conduct of the king and court was conſidered, it was not poſſible for the king to obtain a majority in the houſe of commons, becauſe thoſe who were ready to ſacrifice the nation's money to the king, would not ſacrifice to him their liberties and religion. Another cauſe alſo ſtopped the king in his career, namely, that as ſoon as the people were diſſatisfied with the court, vacancies in the parliament were filled with men of quite contrary principles to the king and duke of York, ſo that in time, the parliament became very different from what it was at the beginning. It is not therefore ſtrange, that the king ſhould deſire to be rid of a parliament, from which he could expect no farther benefit. But he flattered himſelf in vain, with having another more favourable, as will hereafter appear.

Elections for a new parliament. Id. p. 512. Upon the 25th of January, the king iſſued out writs for the new election, which put the whole nation into a ferment. It happened to the king, on this occaſion, as it had happened to his father. The people being diſcontented with the court, and full of ſuſpicions and fears, affected to chooſe repreſentatives the moſt averſe to popery and arbitrary government. And as the high church men had been for ſeveral years a little too ſtrongly attached to the king, and had, in the laſt parliament, paſſed acts to raiſe the royal power higher than ever, the people in general were not for truſting their intereſts in ſuch hands. On the other ſide the preſbyterians, though long oppreſſed, were ſtill numerous in the corporations, ſo that by the ſuperiority of their votes, they commonly carried the elections in favour of their own party, or at leaſt of men, who had only outwardly conformed to the church of England. In a word, when the returns were made, it was found, that moſt of the repreſentatives were men very oppoſite to the

Id. p. 513. principles and deſigns of the court. The king, to prevent

theſe

theſe impreſſions, affected an extraordinary ſeverity againſt the papiſts, and by proclamation, on complaint of the neglects of the proſecution of recuſants, ordered the chancellor to put out of commiſſion, all juſtices of peace, who were remiſs in their duty. But this was too frequent an artifice, to be capable to perſuade the people, that the king was truly zealous for the proteſtant religion. 1678-9.

While all were engaged in the new elections, three of the five, accuſed of Godfrey's murder, namely, Green, Berry, and Hill, were tried at the King's Bench bar, before the lord chief juſtice Scroggs, the 10th of February. Trial of the murderers of Godfrey State trials, t. II. p. 765. Burnet.

Oates depoſed, That he had heard Godfrey ſay, a little before his death, "That he went in fear of his life by the "popiſh party, and had been dogged ſeveral days." Oates's depoſition.

One Robinſon teſtified, That he heard him ſay, "That "he believed he ſhould be the firſt martyr." Robinſon's depoſition.

Prance's evidence was the ſame with what he had before depoſed. The priſoners objected to him, that he had recanted, and denied all before the king and council. The court made for him the anſwer which he had before given to the council, "That all that was nothing but an unu- "ſual fear, and a want of a full aſſurance of his pardon [c]." Some repreſent this as a great partiality in the judge. But it muſt be obſerved, that judges ſit upon the trial of criminals, not to condemn or acquit: the jury decide the caſe, and find the priſoners guilty or not guilty. When therefore any material difficulty offers, it is the office of the judge to direct the jury, and ſhow them what they are, and what they are not to mind, with the reaſons of their opinion. So I doubt, that on this occaſion the court did not exceed the bounds of their duty, though I will affirm nothing. Prance's depoſition.

Hill's wife aſked Prance, whether he had not been tortured in Newgate, ſince ſeveral had heard him cry out in that place? He anſwered, "That he had not——That "captain Richardſon had uſed him as civily as any man "in England; and that all the time he was there, he "wanted for nothing." This anſwer, as we ſee, is very State trials, t. II. p. 780.

[c] To this Richardſon, keeper of Newgate, anſwered, "That Prance "had told him, it was fear that made "him recant; and he [Prance] gave a "full ſatisfaction, that it was only "out of an apprehenſion that his life "was not ſecure; that his trade would "be loſt among the Roman catholicks; "and in caſe he had his pardon, and "was ſaved, he ſhould have been in "danger of being murdered by them." He ſaid himſelf afterwards, that it was for fear of looſing his employment from the queen, and the catholicks, which was the moſt of his buſineſs, and becauſe he had not his pardon. State trials, tom. II. p. 765, 780.

contra-

1687-9. contradictory to the aggravated recital of his torments, though even in that recital, nothing is ſaid which tends to ſhew, that he was put to the torture. However, the author of the recital, better informed than Prance himſelf, ſcruples not to ſay, "That the poor man, to ſupport the credit of his "evidence, was forced to diſown all his barbarous uſage."

L'Eſtrange.

Bedloe's evidence.

Bedloe had already depoſed before the lords, "That le "Phaire, Walſh, Pritchard, Keins, &c. had wheedled "ſir Edmundbury Godfrey into Somerſet-houſe court, un- "der pretence of taking ſome plotters, and after a turn or "two, and the pretence of ſending for a conſtable, they "ſhowed him to a room, preſented a piſtol to him, threat- "ening to kill him, if he made any noiſe, but would do "him no hurt, if he would ſend for his examinations; "which he refuſing to do, they ſtifled him between two "pillows, and after that, upon finding ſome life in him, "they ſtrangled him with a long cravat."

Some have remarked, that this firſt evidence of Bedloe, was directly contrary to Prance's. Others have obſerved, that Bedloe never ſaid that he was preſent at the murder, but only depoſed what he heard from others; conſequently, that there was no real contradiction between the two witneſſes.

In the preſent trial Bedloe depoſed, "That about a fort- "night before the murder, le Phaire, Pritchard, Keins, and "ſome other Romiſh prieſts, all unknown to Prance, diſ- "courſed Bedloe about killing a certain Gentleman, not "named; and then ſet him to inſinuate himſelf into ſir "Edmundbury Godfrey's acquaintance, which he did under "ſeveral pretences. That on the very day of the murder, "le Phaire told him, there was a gentleman to be put out "of the way that night, and would have him to aſſiſt, and "that there would be four thouſand pounds reward from "the lord Bellaſis, &c. and therefore deſired him to meet "in the cloyſter at Somerſet-houſe that evening, for there- "abouts it was to be done; which he promiſed to do, but "wilfully failed them, becauſe he would not have his "hands in blood. On the Monday after, le Phaire meet- "ing him, charged him with breach of promiſe, and ap- "pointed him to come to Somerſet-houſe at nine that night, "where he told the witneſs, That he had done ill, that he "did not help in the buſineſs; but if he would help to "carry him off, he ſhould ſtill have half the reward; and "told him he was actually murdered. The witneſs aſked, "if he might ſee him; upon which le Phaire led him through

"a

"a dark entry, into a room where were ſeveral people, and 1678-9.
"Prance amongſt them, and only by the light of a dark
"lanthorn he ſaw the face of the murdered perſon, and
"knew him to be ſir Edmundbury Godfrey. The witneſs
"adviſed to tie weights about him, and throw him into
"the Thames; but they did not approve of that, but ſaid,
"they would put it upon himſelf, and carry him out in
"a chair, by the help of the porter Berry, at twelve that
"night. The witneſs promiſed, upon the ſacrament, which
"he had taken the Thurday before, to come again and
"help them; but being got from them, his conſcience
"would not permit him to go any farther, though he
"had been promiſed two thouſand pounds for his labour,
"but he rather choſe to diſcover the villany to the king
"and council, and accept of a quarter of the ſum in an
"honeſt way."

What appears moſt ſtrange in this depoſition, is not its contrariety to the firſt, in which he only ſpoke by hearſay; but that Bedloe did not relate theſe circumſtances to the lords, having only ſaid, that he had ſeen Godfrey's body in Somerſet-houſe, and Prance in the ſame room.

The conſtable that viewed the body in the ditch, gave an account, "That the ſword was ſticking through him, "but no blood appeared upon the ground, and he found "gold and ſilver in his pockets." Two ſurgeons ſwore, "that they verily believed the ſword was run through him "after he was dead and cold: but that he died by reaſon "of the ſuffocation, and breaking of his neck, and bruiſes "on his breaſt." The conſtable's depoſition.

Sir Robert Southwell depoſed, "That Prance having re- "lated the matter to the council; and being ſent with "the duke of Monmouth and the earl of Oſſory to ſhew "the place he mentioned, did readily go to them all, and "they appeared all to be ſuch as he had deſcribed them; "only as to the room in the upper court, where the body "was laid one night, having never been there but once, "he ſaid he could not poſitively aſſign it, but pointing "to ſome rooms, and ſaid, he was ſure it was therea- "bouts." Sir Robert Southwell's depoſition.

As to the priſoners defence, Hill brought ſeveral witneſſes to prove, "That he was never out of his lodgings af- "ter eight a clock at night, during the whole time of this "tranſaction."

Some have pretended, that theſe depoſitions were not regarded, becauſe the witneſſes were papiſts. But no ſuch thing

1678-9. thing is ſaid in the printed trial, and it is difficult to know the thoughts of the jury, who were the ſole judges of theſe evidences.

Beſides, Hill ſhewed, "That when he heard of Prance's "being taken up for the murther, he had full leiſure to "make his eſcape, which he never endeavouring, was a "great preſumption of his innocence." It is to be preſumed, the jury took but little notice of this proof.

Green proved by two witneſſes, James Warrier and his wife, "That he was at their houſe in the Strand from "between ſeven and eight till after ten, on that very "night and time that ſir Edmundbury Godfrey was ſaid to "be murdered in Somerſet-houſe." But unhappily, War-"rier willing to corroborate his evidence, added, "That "Green's being apprehended a month after the murder of "Godfrey, recalled to his mind, that the ſaid Green had "been with him on Saturday the 12th of October, from "eight to ten in the evening." But, beſides that Green was not arreſted till the 24th of December, that is to ſay, two months and twelve days after Godfrey's murder, he was not taken up for this murder, but for refuſing the oaths, which could not cauſe Warrier to remember, that Green had been with him the day Godfrey was murdered. Green added, "That when Prance was taken up, he ſhewed ſuch "a deteſtation of the fact, that he ſaid, Rather than he "ſhould eſcape, if he were guilty, he would be the execu-"tioner himſelf." In all likelihood, this proof appeared not very material to the jury. In behalf of Berry the porter, the ſoldiers that were placed centinel at the gate, teſtified, "That no ſedan went out of the gate that night that the "body was ſaid to be carried off, though one did come in, "and that they could not be miſtaken in ſo plain a matter." And Berry's maid declared, That her maſter was in bed "by twelve a clock that night, and never ſtirred out, which "made it impoſſible for him to be upon the whole expe-"dition."

Burnet, p. 447.

They all endeavoured likewiſe to invalidate Prance's evidence; but the court obſerved, "That it was impoſſible "that mr. Prance, a man of that mean capacity, ſhould "invent a ſtory with ſo many conſiſting circumſtances, if "there was no truth in the bottom of it:" but adds the hiſtorian whom I have often quoted, "others obſerved, "That the ſtory was invented by ſome body elſe of a "greater capacity." This inſinuation is ſupported only upon his ſyſtem. But beſides, had the penner of this nar-

Echard, III. p. 515.

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rative been ſo able as is ſuppoſed, it would not have been difficult to give it a perfect agreement with Bedloe's firſt depoſition, whereas it was different in many reſpects. For when a man is only to invent, and has falſe witneſſes ready to ſupport the invention, he need not be much puzzled about the facts. 1678-9

In concluſion, the jury brought them in all guilty of the murder. Whereupon, the lord chief juſtice Scroggs ſaid, "They had found the ſame verdict that he would have "found, if he had been one with them." They are condemned; State trials, II. p. 785.

They all three inſiſted upon their innocence to the laſt moment of their lives. Berry owned, "That he was a "proteſtant in his heart, but had for ſome time diſſembled "his religion for his private advantage." and executed without making any confeſſion. Id. p. 516. Burnet, p. 447.

Hill, to perſuade the ordinary of Newgate of his innocence, gave him this notable proof of it; "That he had "wronged one in a twelve-penny matter, which had ſo "troubled his conſcience, that he had made reſtitution "ſince his condemnation, though he was in extreme want "of preſent neceſſaries:" and therefore he thus argued with him, "If I have taken ſhame upon myſelf, in con-"feſſing my crime in the caſe of a trifle; can you think I "would deny the murder to maintain my reputation?"

Green and Hill were executed the 21ſt of February; but Berry was reprieved till the 28th of May.

The time for the meeting of the parliament drawing near, the king, after examining the elections, ſore ſaw a ſtorm gathering againſt the duke of York. Wherefore, to prevent it, and perſuade the new parliament that his counſels were not influenced by his brother, he reſolved to ſend him away[d], and for that purpoſe, the 28th of February, writ him the following letter: The duke of York leaves the kingdom Kennet, p. 356. Burnet. Echard.

"I have already given you my reſolves at large, why I "think it fit that you ſhould abſent yourſelf for ſome time "beyond the ſeas: as I am truly ſorry for the occaſion, "ſo may you be ſure, I ſhall never deſire it longer than it "will be abſolutely neceſſary for your good, and my ſer-"vice. In the mean time, I think it proper to give it "you under my hand, That I expect this compliance "from you, and deſire it may be as ſoon as conveniently "you can. You may eaſily believe with what trouble I "write; there being nothing I am more ſenſible of, than "the conſtant kindneſs you have ever had for me. I hope A letter from the king to the duke of York.

[d] It was done by the earl of Danby's advice. Burnet, p. 452.

"you

1678-9. "you are as juſt to me, to be aſſured, that no abſence, "nor any thing elſe, can ever change me from being "truly and kindly yours,"

C. R.

Who withdraws to Bruſſels.

The duke immediately obeyed, and the 3d of March departed for Holland, with his ducheſs, and the princeſs Anne his daughter, from whence he went and reſided at Bruſſels.

Proceedings againſt Danby in ſtate trials, II. p. 734. Burnet.

Mean time, the king fearing that the new parliament would impeach the earl of Danby, and that the earl, in prevention of his own danger, would be obliged to reveal ſecrets, which he wiſhed to be concealed, granted him, under the great ſeal, as full and compleat a pardon as could be drawn,

The king's ſpeech to the parliament. Kennet, p. 360.

The new parliament meeting the 6th of March, the king made a ſpeech, tending to ſhow how well affected he was to the laws of the land, and the proteſtant religion. He ſpoke of his care in puniſhing, as well thoſe concerned in the plot, as the murderers of ſir Edmundbury Godfrey, and forgot not to mention the removal of the duke of York. Laſtly, he demanded money for diſbanding the army, and for paying the fleet. The chancellor enlarged upon all theſe points with great exaggerations, according to his cuſtom.

A difference between the king and commons about the choice of a ſpeaker. Ibid. Burnet. Echard, III. p. 522, &c.

The parliament began with a warm diſpute between the king and the commons, about the choice of a ſpeaker. The commons having choſen mr. Edward Seymour [e], the king, who knew Seymour was a particular enemy of the earl of Danby, refuſed his approbation, and ordered the commons to proceed to a new choice. The houſe was extremely diſpleaſed with the refuſal, alledging, "That it "was never known that a perſon ſhould be excepted againſt, "and no reaſon at all given, and that the thing itſelf, of "preſenting a ſpeaker to the king, was but a bare com-"pliment." The king, on his ſide, inſiſted on his approbation or refuſal of a ſpeaker when preſented to him, as a branch of his prerogative [f]. During a ſix days diſpute, the commons made ſeveral repreſentations to the king, to which he gave very ſhort anſwers. At laſt, as the commons would not deſiſt from what they thought their right,

A ſhort prorogation.

[e] Who was one of the repreſentatives for the county of Devon, and treaſurer of the navy. Kennet, p. 360.

[f] Without giving any reaſon to the perſons chuſing, or the perſon choſen. Echard, tom. III. p. 522.

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the king went to the parliament, and prorogued it from the 13th to the 15th; that is, for one day's interval between the two ſeſſions. The parliament meeting the 15th, the king ordered the commons to proceed to the choice of a ſpeaker. Then, to avoid a revival of the diſpute, they choſe mr. William Gregory, ſerjeant at law, who was approved by the king [s]. 1678-9.

Another ſpeaker choſen.

The commons began with appointing a committee to examine controverted elections, threeſcore petitions having been already preſented.

This affair being put into a way of determination, the commons appeared reſolved to purſue the matters which the late parliament had left undecided. For this purpoſe, the 20th of March they appointed a ſecret committee, to take informations, prepare evidence, and draw up articles againſt the lords that were impeached, and to take ſuch further informations as ſhould be given, relating to the plot againſt his majeſty and the government, and the murder of ſir Edmundbury Godfrey. At the ſame time, they deſired the lords, by an expreſs meſſage, to remember the impeachment of high treaſon exhibited againſt Thomas earl of Danby, in the name of the commons of England, and to commit him to ſafe cuſtody. They reſolved alſo, that it ſhould be referred to the committee of ſecrecy, to draw up further articles againſt him. The earl of Danby was greatly embaraſſed; for he could not make his defence, without producing the letters writ by his majeſty's particular order, and other papers which the king was willing to conceal. Wherefore he reſolved to adhere to the benefit of his pardon.

A ſecret committee appointed. Kennet, p. 560. Echard.

The affair of the earl of Danby reſumed.

The next day, the 21ſt of March, dr. Tonge, Oates, Bedloe, and a Scotchman, one Edmund Everard, a new diſcoverer, were called before the commons, to give in their informations concerning the plot. Bedloe having delivered in his information, the houſe reſolved, "That an humble addreſs be made to his majeſty, that the five hundred "pounds promiſed by his proclamation for the diſcovery "of the murder of ſir Edmundbury Godfrey, may be paid "to mr. Bedloe, and that he would further be pleaſed to "order, that the twenty pounds reward for the diſcove-

Tonge and Oates examined. Echard, III. p. 526.

An addreſs to the king.

[s] He was recommended by William lord Ruſſel. Kennet, p. 560. Burnet adds, the point was ſettled, that the right of electing was in the houſe, and that the confirmation was a thing of courſe, p. 453.

"ry

1678-9. " ry of every prieſt, may be effectually paid to the diſ-
" coverers."

Another. By another addreſs, they deſired, " That the care of
" mr. Bedloe's ſafety might be recommended to the duke
The king's anſwer. " of Monmouth." The king anſwered, " That he would
" take immediate care for the payment of the five hundred
" pounds, and the twenty pounds they deſired, That he
" had hitherto taken all the care he could of mr. Bedloe:
" that he knew how conſiderable his evidence was: that he
" would ſee hereafter, that he ſhould want for nothing, but
" that he could not be anſwerable for him when he went
" abroad."

A vote of the commons relating to the conſpiracy. Upon the whole, the commons came to a vote ſomething like that in the laſt parliament, namely, " That the houſe
" doth declare, that they are fully ſatisfied that there now
" is, and for divers years laſt paſt hath been, a horrid and
" treaſonable plot and conſpiracy, contrived and carried
" on by thoſe of the popiſh religion, for the murdering
" his majeſty's ſacred perſon, and for ſubverting the pro-
" teſtant religion, and the antient and well-eſtabliſhed
And of the lords. " government of this kingdom." The lords concurred to this vote without heſitation, as alſo to an addreſs to be preſented jointly by both houſes to the king, to pray him to appoint a ſolemn day of humiliation and faſting throughout the whole kingdom. The king granted their requeſt, and the 11th of April was appointed to be kept as a publick faſt day.

A faſt appointed. Kennet, p. 361. Echard. The 22d of March, the commons ordered a bill to be brought in, to ſecure the king and kingdom againſt the danger and growth of popery.

The king intereſts himſelf in the earl of Danby's affair. The ſame day the king going to the parliament, ſpoke to both houſes in favour of the earl of Danby. But the commons, unmoved with this ſpeech, were no ſooner returned to their houſe, than they ſent a meſſage to the lords, to demand that the earl might be forthwith committed to
An offer of the lords, ſafe cuſtody. The lords ſeeing the paſſion of the commons, offered them in a conference, the draught of a bill, by which the earl of Danby ſhould be for ever incapable of coming to his majeſty's preſence, and of all offices and employments, and of receiving any gifts or grants from the
rejected by the commons. crown, and of ſitting in the houſe of peers. But the commons were not ſatisfied with ſuch a bill, probably, for two reaſons. The firſt was, that the earl of Danby had implacable enemies among the leading commons. The ſecond, that purpoſing to diſcover the king's ſecrets, by a

ſtrict

ſtrict examination of the earl of Danby's affairs, they ſaw 1678-9.
that this bill was only an artifice, to conceal what they wiſhed to know and divulge.

Mean time, the commons hearing that the king had ſigned a pardon for the earl of Danby, appointed a committee to repair to the chancellor, and enquire how this pardon was ſealed, and at whoſe ſuit. The chancellor anſwered, "That it was done very privately, the king having "ordered him to bring the ſeal into his cloſet, and lay it "upon the table; that his majeſty commanded the ſeal to "be taken out of the bag, and ordered the perſon who uſu-"ally carried the purſe, to affix it to the pardon." The chancellor added in his juſtification, "That at the very time "of affixing the ſeal to the parchment, he did not look upon "himſelf to have the cuſtody of the ſeal: that the pardon "was paſſed with the utmoſt privacy, at the deſire of the "earl, who gave this reaſon for it, that he did not intend to "make uſe of it, but to ſtand upon his innocence, except "falſe witneſſes ſhould be produced againſt him; and then "he would make uſe of it at the laſt extremity: that notwithſtanding this reaſon, he adviſed the earl to let the par-"don paſs in the regular courſe; but after conſulting with "the king, his majeſty declared, he was reſolved to let it "paſs with all privacy [h]."

The commons examine into the earl's pardon. The chancellor's account of it. Kennet, p. 361. Burnet, p. 453. Echard, III. p. 527.

The houſe, upon hearing this report, were inflamed againſt the earl, and one of the members [i], naming the earl of Danby, proceeded thus:

[h] The king, in his ſpeech for the earl, ſaid, he had done nothing but by his order, and therefore he had pardoned him; and if there was any defect in his pardon, he would paſs it over and over again, until it ſhould be legal. Upon this a great debate was raiſed; ſome queſtioned whether the king's pardon, eſpecially when paſſed in bar to an impeachment, was good in law: this would encourage ill miniſters, who would be always ſure of a pardon. The king's pardon did indeed ſecure one againſt all proſecution at his ſuit: but, as in caſe of murder an appeal lay, from which the king's pardon did not cover the perſon, ſince the king could no more pardon the injuries done his people, than he could forgive the debts that were owing to them; ſo from a parity of reaſon it was inferred, that ſince the offences of miniſters of ſtate were injuries done the publick, the king's pardon could not hinder a proſecution of parliament, which ſeemed to be one of the chief ſecurities, and moſt eſſential parts of our conſtitution.——When the bill of baniſhment, which paſſed in the houſe of lords, was ſent down to the commons, Winnington fell on it in a moſt furious manner, and inflamed the houſe ſo, that though it was offered that the earl ſhould be degraded of his peerage as well as baniſhed, and that no pardon for the future ſhould be pleaded in bar to an impeachment; the bill was thrown out by the commons, and a bill of attainder brought in, as will be ſeen hereafter. Burnet, p. 453.

[i] Mr. Powle, afterwards one of the new council.

1678-9. "——The perſon to whom we owe the dangers and fears "of the French king againſt us: the perſon to whom we "owe the threats and ſevere anſwers to thoſe humble ad- "dreſſes we made the laſt ſeſſion of parliament: the perſon "to whom we owe the ruin of this nation, and exhauſting "the king's revenue: the perſon to whom we owe the ex- "pence of two hundred thouſand pounds a year, unaccount- "ed for: the perſon to whom we owe the raiſing of a ſtand- "ing army, to be kept up by the receipt of ſix millions of "livres yearly, for three years, to enſlave us, and our "religion: the perſon to whom we owe the late bone "that was thrown in on the ſitting of the laſt parliament, "to hinder the good iſſue that might have come by their "proceedings; who is now laying down his ſtaff, and "making up his accounts in the treaſury, as he pleaſes, "to enrich himſelf out of the ſpoils of the people, and ſo "depart."

Speech againſt the earl of Danby. State-trials, t. III. p. 730. Echard, III. p. 527.

A remark upon the plot.

I have often ſaid, that the people in general were perſuaded, not only of the reality of the plot, at leaſt with regard to the government and religion, but that even the king and the duke of York were the true authors of it. This ſpeech plainly ſhows, it was at leaſt the opinion of the ſpeaker, and when a member of the commons advances ſuch propoſitions, without a reprimand, one may be ſure he ſpeaks the general ſenſe of the houſe. Beſides, the removal of the duke of York was a demonſtration, that the king was not ignorant of his being ſuſpected to ſubmit too much to the counſels of his brother. It is therefore hard to conceive, why ſo many ſenſible men obſtinately labour to ſhew, there was no real plot, becauſe the article concerning the deſign of killing the king, may be doubtful. For, the truth of the two other branches, concerning the government and religion, flows from ſo many circumſtances, that one muſt be wilfully blind not to ſee it. Perhaps the word plot offends ſome perſons, who cannot comprehend how a king can plot againſt his ſubjects. But if this is all, there is a way to be ſoon agreed. Inſtead of ſaying there was a plot to ſubvert the government, and the proteſtant religion, let it be ſaid, there was a project or deſign on foot, headed by the king and the duke of York, to render the king abſolute, and introduce popery. But this is preciſely what is meant by the plot. For the deſign of killing the king was only an appendix to the plot, ſuppoſing it real, and an effect of the furious zeal of ſome private perſons, who thought

to

to accompliſh the plot better by placing the duke of York on the throne. 1679.

I ſhall not inſert here the earl of Shaftſbury's ſpeech in the houſe of lords, becauſe ſo much pains has been taken to repreſent him as the great enemy of the king, and the firſt mover of the whole party, that whatever came from him muſt be ſuſpected. I ſhall produce, however, one paſſage of this ſpeech: "Popery, ſays he, and ſlavery, "like two ſiſters, go hand in hand; ſometimes one goes "firſt, ſometimes the other; but whereſoever the one en- "ters, the other is always following cloſe at hand. In "England, popery was to have brought in ſlavery; in "Scotland, ſlavery went before, and popery was to follow." Thus much is certain, that his obſervation on the ſlavery of Scotland was exactly true, and that the duke of Lauderdale, ſupported by the court, exerciſed among the Scots a tyranny unknown to their forefathers. What therefore could the Engliſh imagine, when they ſaw a neighbouring kingdom, inveſted with no leſs privileges than England, governed in ſo abſolute a manner, under the ſame king and the ſame miniſtry? Could they expect that the ſame principles would not be followed in England, if it could be done with the ſame eaſe?

March 25. Echard, III. p. 528.

The earl of Shaftſbury's ſpeech.

Burnet.

The ſame day, the lords ſent a meſſage to acquaint the houſe of commons, that the earl of Danby had withdrawn, and could not be found. Whereupon the commons ordered, "That a bill be brought in to ſummon Thomas "earl of Danby, to render himſelf to juſtice by a day to be "therein limited, or in default thereof, to attaint him." The 3d of April, articles of impeachment againſt the five lords in the Tower were drawn up by the commons, and carried to the houſe of lords, as well as the bill to fix a day for the earl of Danby to render himſelf to juſtice. The lords having ſent back this laſt bill with ſome amendments, the commons were diſſatisfied, becauſe the lords were not of opinion, in caſe the earl refuſed to ſurrender himſelf, to proceed againſt him by bill of attainder, but to content themſelves with inflicting other penalties. The two houſes had ſeveral conferences upon this ſubject, in which the commons continued immoveable, without any diminution of their rigour againſt the earl. At laſt the lords paſſed the bill, and appointed the 23d of April for the earl's ſurrendering himſelf to trial. The earl ſeeing that his abſence could not hinder the bill of attainder from paſſing againſt him, reſolved at laſt to ſurrender himſelf to the uſher of the black rod,

The earl of Danby withdraws. A bill preferred againſt him by the commons. State trials, t. II. p. 731. Kennet. Echard.

Paſſed by the lords. He ſurrenders himſelf, and is ſent to the Tower

1679. and the ſame day, he was ſent to the Tower. The king then found himſelf involved in greater difficulties than he had ever ſtruggled with before, as he ſaw, the earl of Danby could not make his defence without divulging his ſecrets.

The king forms a new council. Temple's mem. Kennet. Echard. Burnet.

If the king would have altered his maxims and principles, he might have been eaſily freed from theſe troubles. He had only to break his union with France, diſmiſs thoſe of his miniſters who were unacceptable to the parliament, and act with ſincerity for the intereſt of the kingdom, and of the proteſtant religion, abandoning all the projects he had hitherto formed. But he could not reſolve to make this ſacrifice, both becauſe he believed his honour concerned, and his deſign was only to gain time, and amuſe the parliament. It was with this view, that by the advice of ſir William Temple, he reſolved to eſtabliſh a new council, into which were admitted ſome lords moſt oppoſite to him, as the earls of Shaftſbury and Eſſex. This council conſiſted of thirty members [k], fifteen of whom were ever to be the preſent chief officers of his crown and houſhold. Ten were to be taken out of the nobility, and five out of the commons. But he took care in this model of his council, to have a majority of ſuch as were devoted to him. The earl of Shaftſbury was made preſident of this council, though no man was more hated by the king. His aim was to perſuade the publick and the parliament, that he was reſolved entirely to change his manner of governing, and be guided in all affairs whatſoever, by the advice of the new council. But this was only to amuſe the publick. For as it was not poſſible for the king to depart from his principles, concerning religion or government, ſo moſt of his new counſellors were not for ſacrificing the royal authority to the will of the parliament. The earl of Shaftſbury would have been extremely pleaſed with being preſident of the council, if his authority had been proportionable to his office. But he quickly perceived, he was there only for ſhow: and to be ſubſervient to the king's deſigns, whilſt others had his confidence. There were chiefly four who had the direction of affairs committed to them, namely, the earls of Sunderland and Eſſex, the lord Halifax, and ſir William Temple. Theſe digeſted and prepared what was to be propoſed to the council or the parliament.

[k] See a liſt of this council in Kennet, p. 362. Echard, t. III. p. 536, and appendix to Temple's mem. p. 363.

The

The king had no sooner made this alteration, than he came to the parliament to acquaint them with it. But though the city of London, and the rest of the kingdom resounded with joyful acclamations, and were perswaded that things were going to change for the better, the house of commons received the news with great coldness. They had not sufficient confidence in the king, to believe he really intended to govern otherwise than he had hitherto done, but thought this was some new artifice, which would soon produce its effects. So, by this change the king gained not much ground in the house of commons. I am sensible, the distrust of the commons is ascribed to Shaftsbury's intrigues, and sir William Temple even insinuates it in several places. But it is not easy to comprehend how a single man should have had credit enough in the country party, to direct them as he pleased, if that party had not otherwise known what Shaftsbury laboured to make them believe. For instance, this earl insinuated that the nation could not be secured against the duke of York, and that when he should once possess the crown, all provisions against him would vanish. Was he in the wrong? And was there need of so great a credit to convince the country party of a thing they were but too well convinced of before? It is therefore a mere artifice solely to impute the animosity of the commons to the earl of Shaftsbury, as if it had no other foundation than his credit and intrigues, in order to remove thereby the just and real occasions of complaint against the king's government. The measures pursued by the court in the foregoing years, both against the established government and religion had been seen. What had the king done to cause them to be forgot? He had issued out proclamations against the papists, but they were so ill executed, that they were not apt to inspire the parliament with confidence. The king, under colour that he might be engaged in a war against France, had levied thirty thousand men, and at the same time was negotiating a yearly pension with that crown of six millions of livres for their maintenance, as plainly appeared from the letters in parliament. What had the king done to remove the fears occasioned by this army? He had applied to their maintenance the money granted by the parliament for their disbanding, and if he had consented to their being dismissed, it was because he applied to another use the money received from France. In short, was it possible to forget the transactions of the cabal, the king's indolence with regard to the interests of England and

1679.

Acquaints the parliament with it. Kennet, p. 362. Echard, III. p. 536.

An observation upon the earl of Shaftsbury. Temple's mem. Part III. p. 335, &c.

1679. of all Europe, the frequent prorogations of parliament at critical times, when vigorous reſolutions were taking againſt France grown too powerful; his deſign, in conjunction with that crown, of utterly deſtroying the commonwealth of Holland; deſign ſo directly oppoſite to the intereſts of England? Could it not be ſeen, that the king was without legitimate children, and the duke of York his brother and preſumptive heir, not only a papiſt, but alſo a bigot to his religion? Could the tranſactions in Scotland be concealed, where arbitrary power was compleatly eſtabliſhed? I do but juſt mention ſome of the principal points, for it would be too tedious to relate all the cauſes of the nation's ſuſpicions and fears. After this, how is it poſſible to believe that Shaftſbury's intrigues and artifices were the ſole cauſe of the commons diſtruſt? I do not doubt that he contributed to them, and that being ſo well informed, as he was, of the king's ſecret deſigns, he opened the eyes of many people who perhaps would have been deceived by the artifices of the court. But this is not what is meant by aſcribing the people's fears and jealouſies to the intrigues of this earl. That he was actuated by a ſpirit of revenge, is no concern of mine, but the event too plainly ſhowed, how agreeable were his advices to the intereſt of the kingdom.

A deſign diſcovered to burn London. Echard, III. p. 540.

While the alterations the new council was to bring in the affairs of the government, were impatiently expected, the commons were ſuddenly alarmed by an information of a French deſign of the papiſts to burn London a ſecond time. The houſe of one Bird in Fetter-lane being ſet on fire, his ſervant, Elizabeth Oxley, was ſuſpected of firing it on purpoſe, and ſent to priſon. She confeſſed the fact, and declared, ſhe had been employed to do it by one Stubbs a papiſt, who had promiſed her five pounds. Stubbs being taken up, confeſſed, he perſuaded her to it, and that father Gifford his confeſſor put him upon it, telling him, "it was no ſin to "burn all the houſes of hereticks." He added, that he had frequent conferences on the affair with Gifford and two Iriſhmen. Moreover, Stubbs and the maid ſervant declared, the papiſts were to make an inſurrection, and expected an army of ſixty thouſand men from France. The commons obtained a pardon for Stubbs and the ſervant, in conſideration of their ready confeſſion. But it was generally inferred from this incident, that it was not Gifford's fault that the city of London was not burnt as in the year 1666.

This

This accident produced an addreſs from the commons to the king, for the execution of Pickering the jeſuit, and the other condemned prieſts. 1679.

But the commons ſtopped not there. The ſame day they reſolved to ſit on the morrow, though Sunday, to conſider of means for the preſervation of the king's perſon, and the proteſtant religion againſt the attempts of the papiſts, both in the reign of the preſent king, and his ſucceſſors. Accordingly the next morning they firſt ordered a bill to be brought in to baniſh all papiſts, or reputed papiſts, within London and Weſtminſter, twenty miles from the ſame, for ſix months; and then they voted, nemine contradicente, "That the duke of York being a papiſt, the hopes of his "coming ſuch to the crown, has given the greateſt coun- "tenance and encouragement to the preſent conſpiracies and "deſigns of the papiſts againſt the king and the proteſtant "religion." This vote was ſent to the lords for their concurrence [1]. Vote of the commons againſt the duke of York. Kennet, p. 363. Echard.

The 25th of April the earl of Danby appeared at the bar of the houſe of lords, and there produced the king's pardon for all crimes and offences whatſoever committed before the 28th day of February laſt. After which he was ſent back to the Tower. The lords having given notice of this to the commons, they appointed a committee of ſecrecy to examine the nature of the earl's plea, who made their report; "That there was no precedent, of a pardon granted to any "perſon impeached by the commons of high treaſon, or "other high crimes depending in the impeachment." After this report, the commons deſired the lords to demand of the earl of Danby, "Whether he would rely upon, and abide "by the plea of his pardon." This was the next day, and the earl praying time to anſwer, the lords allowed him four days. The earl of Danby pleads the king's pardon. State trials, t. II. p. 733.

The ſame day, the king returned this anſwer to the commons addreſs for the execution of Pickering and other prieſts: "Gentlemen, I have always been tender in matters of "blood, which my ſubjects have no reaſon to take except- "ion at: but this is a matter of great weight, I ſhall "therefore conſider of it, and return you an anſwer." Kennet, p. 363.

The vote of the commons concerning the duke of York touched the king very ſenſibly, for he ſaw they did not intend to ſtop there. He therefore went to the parliament the 30th of April, and in a ſhort ſpeech recommended to both The king's ſpeech to the parliament. Kennet. p. 363. Echard.

[1] By William lord Ruſſel, for which he paid dearly afterwards.

1679. houſes the diſpatch of three affairs: 1. The proſecution of the plot. 2. The diſbanding of the army. 3. The providing a fleet for the common ſecurity. Then to give them a proof of his care to preſerve their religion for the future, he told them, "That he had commanded his chancellor to "mention ſeveral particulars, which he hoped would be an "evidence, that in all things that concerned the publick "ſecurity, he ſhould not follow their zeal but lead it."

Accordingly, the chancellor made the following ſpeech.

My lords, and you the knights, citizens, and burgeſſes of the houſe of commons.

The lord chancellor's ſpeech.

"THAT royal care which his majeſty hath taken for "the general quiet and ſatisfaction of all his ſubjects, "is now more evident by theſe new and freſh inſtances of it, "which I have in command to open to you. His majeſty "hath conſidered with himſelf, that it is not enough that "your religion and liberty is ſecure during his own reign, "but he thinks he owes it to his people to do all that in "him lies, that theſe bleſſings may be tranſmitted to your "poſterity, and ſo well ſecured to them, that no ſucceſſion "in after ages may be able to work the leaſt alteration. "And therefore his majeſty, who hath often ſaid in this "place, That he is ready to conſent to any laws of this "kind, ſo as the ſame extend not to alter the deſcent of the "crown in the right line, nor to defeat the ſucceſſion, hath "now commanded this to be further explained.

"And to the end it may never be in the power of any "papiſt, if the crown deſcend upon him, to make any "change either in church or ſtate; I am commanded to tell "you, That his majeſty is willing, that proviſion may be "made, firſt to diſtinguiſh a popiſh from a proteſtant ſuc-"ceſſor; then ſo to limit and circumſcribe the authority of "a popiſh ſucceſſor, in theſe caſes following, that he may "be diſabled to do any harm: Firſt, in reference to the "church; his majeſty is content that care be taken, that "all eccleſiaſtical and ſpiritual benefices and promotions in "gift of the crown, may be conferred in ſuch a manner, "that we may be ſure the incumbents ſhall always be of the "moſt pious and learned proteſtants: and that no popiſh "ſucceſſor, while he continues ſo, may have any power to "controul ſuch preſentments. In reference to the ſtate, "and civil part of the government, as it is already pro-"vided, That no papiſt can ſit in either houſe of parlia-"ment;

" ment; ſo the king is pleaſed that it be provided too, that 1679.
" there may never want a parliament, when the king ſhall
" happen to die, but that the parliament then in being may
" continue indiſſolvable for a competent time; or if there
" be no parliament in being, then the laſt parliament which
" was in being before that time, may reaſſemble and ſit a
" competent time, without any new ſummons, or elections.
" And as no papiſt can by law hold any place of truſt, ſo
" the king is content that it may be further provided, That
" no lords or others of the privy council, no judges of the
" common law, or in chancery, ſhall at any time, during
" the reign of any popiſh ſucceſſor, be put in or diſplaced,
" but by the authority of parliament: and that care alſo be
" taken, that none but ſincere proteſtants may be juſtices of
" the peace. In reference to the military part, the king is
" willing, that no lord lieutenant, or deputy lieutenant, nor
" no officer in the navy, during the reign of any popiſh ſuc-
" ceſſor, be put in, or removed, but either by authority of
" parliament, or of ſuch perſons as the parliament ſhall in-
" truſt with ſuch authority.

" It is hard to invent another reſtraint to be put upon a
" popiſh ſucceſſor, conſidering how much the revenue of the
" ſucceſſor will depend upon conſent of parliament, and how
" impoſſible it is to raiſe money without ſuch conſent. But
" yet, if any thing elſe can occur to the wiſdom of the par-
" liament, which may further ſecure religion and liberty
" againſt a popiſh ſucceſſor, without defeating the right of
" ſucceſſion itſelf, his majeſty will moſt readily conſent to
" it. Thus watchful is the king for all your ſafeties; and
" if he could think of any thing elſe, that you do either
" want or wiſh to make you happy, he would make it his
" buſineſs to effect it for you. God Almighty long conti-
" nue this bleſſed union between the king, and his parlia-
" ment, and people."

Theſe propoſals were not received by the houſe of commons with that applauſe, the king had expected. The commons diſtruſt was too great for their fears and ſuſpicions to be removed by ſuch offers. Though ſome authors call this an infatuation in the houſe of commons, I think myſelf obliged to remark, that the king offered indeed his conſent to acts of parliament, but ſuggeſted no means to ſecure the execution. It was an artifice of the court of England, begun in the reign of James I. and continued under Charles I. and II. to repreſent the laws as the impregnable bulwark of the nation's liberties. And yet theſe three kings had, on ſeveral occaſions,

A reflection upon the king's offers relating to the duke of York's ſucceſſion.

1679. occaſions, tranſgreſſed them. I ſhall give here ſome inſtances, to which many more might be added. Were the laws enacted for the preſervation of religion under James I. punctually executed? Of what benefit could laws made for the ſecurity of their liberties be to the ſubjects, ſince James I. laid down for principle, that though, in conſcience and honour, the king ought to govern his ſubjects with equity, he might nevertheleſs by the extent of his power, govern in an abſolute manner, without any controul? Did the petition of right reſtrain Charles I. from levying ſhip money? Did the laws hinder the ſame king from governing twelve years without a parliament, and from raiſing money in that interval by an abſolute authority? Had Charles II. been more ſcrupulous? Was it in virtue of the laws that he ſhut up the exchequer, and ſeized the money there without the conſent of the proprietors? Was it for the better execution of the laws, which ſeem to ſecure the liberties of the ſubject, that he received annually from France a penſion of ſix millions of livres? Of what uſe therefore are laws, the execution whereof no human power can warrant, when the intereſts of the prince and people are diametrically oppoſite, which could not fail to happen in the reign of a popiſh ſucceſſor? This ſuffices to demonſtrate, that the king's offer of his aſſent to the acts he propoſed, was incapable of diſpelling the fears of the people, becauſe not only no expedient was propoſed to ſecure the execution, but it was not even in his power to give any ſecurity. But it will be aſked, what other expedient was there for ſecuring the religion and liberties of the nation, conſiſtent with the right of ſucceſſion? I confeſs there was none, and affirm withal, that thoſe offered by the king were inſufficient. But to whom was this impoſſibility owing? To the duke of York alone, who had openly declared himſelf a papiſt, and from that time inceſſantly excited both England and France to promote the intereſts of his religion, as the letters of his ſecretary Coleman manifeſtly ſhow. To enable the reader to judge of this matter, being the moſt material of this reign, I ſhall here propoſe ſome queſtions which are neceſſary to be decided before he can determine in favour of the king or parliament.

Queſtion the firſt. Whether there was any danger to England in admitting a popiſh ſucceſſor?

This the king himſelf did not deny, ſince he propoſed expedients to prevent the danger?

Second queſtion, Whether the expedients propoſed by the king, were capable of preventing the danger?

This

This is what no perſon can either poſitively affirm or deny. For if, on one hand, it may be ſuppoſed, that a popiſh ſucceſſor would have ſincerely complied with the acts propoſed by the king, it may, on the other hand, with equal juſtice be ſuppoſed, that the duke of York, the immediate ſucceſſor, conſidering his principles, his humour, his temper, his zeal for his religion, would never have patiently ſuffered himſelf to be reſtrained by theſe acts of parliament. But this was a contingency which God alone could foreknow. 1679.

Third queſtion. The commons not believing the expedients offered by the king ſufficient to prevent the danger, and the king believing the contrary, who was to yield, the king, or the people repreſented by the commons?

This is what I ſhall not pretend to decide.

Fourth queſtion. Which evil was greateſt, that of breaking the lineal ſucceſſion in the excluſion of the duke of York, or that of expoſing the eſtabliſhed religion to ruin?

This queſtion ſuppoſes, that the kings of England ſucceed by a right purely hereditary. But this ſuppoſition is greatly conteſted. It may at leaſt be affirmed, that ſeveral parliaments have decided the contrary [m]. As to the queſtion in itſelf, it may at leaſt be averred, that in France, in a parallel caſe, upon the death of Henry III. the intereſts of the catholick religion were, without heſitation, preferred to thoſe of Henry IV. who was a proteſtant, and the next heir: but many pretended, that as the French did ill, ſo the Engliſh parliament was to blame to imitate them.

Fifth queſtion. The two evils, namely, the breach in the ſucceſſion, and the expoſing of the proteſtant religion, being ſuppoſed perfectly equal, which was to ſuffer, the rights of the duke, or the religion of the nation?

Some pretend, that the right of ſucceſſion is not to be violated upon any conſideration, and that the intereſts of religion extend not ſo far as to authoriſe ſuch a violation. Others on the contrary maintain, That when things were reduced to ſuch a ſtate, that the duke or the people muſt ſuffer, the duke ought to be the ſufferer, ſince it was he who had brought matters to that ſtate.

The reader ought to determine theſe queſtions, before he gives a definitive ſentence upon this affair.

The day after the king's and the chancellor's ſpeeches to both houſes, the commons, without taking any great notice Kennet. Echard.

[m] Particularly an act paſſed in queen Elizabeth's reign, aſſerting the power of the parliament to limit the ſucceſſion of the crown.

of

1679. of his majeſty's propoſals about the ſucceſſion, proceeded on the bill for preventing the dangers ariſing from popery, as well in his reign, as his ſucceſſor's.

They alſo read the firſt time a bill "for better prevention "of illegal exaction of money from the ſubject," and ordered another to be brought in, "That when any member "of the houſe was preferred to any office or place of pro- "fit, a new writ ſhould immediately iſſue out for electing a "member to ſerve in his ſtead."

Judgment demanded againſt the earl of Danby. Kennet.

The 5th of May they reſolved, "That the pardon "pleaded by the earl of Danby was illegal and void," and the ſpeaker, with the whole houſe, went up to the lords bar, and demanded judgment againſt him.

An addreſs againſt the duke of Lauderdale. Idem. Echard.

Shortly after they drew up an addreſs againſt the duke of Lauderdale, in the ſtrongeſt terms that could be uſed, which was carried in a full body to the king. But it ſeems the king could not then part with this miniſter, the laſt of the cabal, and therefore he coldly anſwered, "That he would "conſider of it, and return an anſwer."

Pickering ordered to execution. May 25. State trials, II. p. 721. Kennet. Echard.

In the mean time, the king ſent a meſſage to the commons by the lord Ruſſel, who acquainted the houſe, "That "his majeſty commanded him to let the houſe know, that "he was willing to comply with their requeſt concerning "Pickering, and that the law ſhould paſs upon him accord- "ingly: that as to the condemned prieſts, the houſe of "peers had ſent for them, in order, as his majeſty con- "ceived, to ſome examinations. That he repeated his in- "ſtances to them for putting the fleet in a good poſture, "for diſpatching the diſcovery of the plot, the trial of the "lords, and the bill for the ſecurity of religion."

A money bill paſſed. Echard.

After this meſſage, the commons finiſhed the money bill for diſbanding the army, which the king paſſed the 9th of May. By this act a ſupply was granted to the king of two hundred and ſix thouſand, four hundred ſixty-two pounds, ſeventeen ſhillings and three pence, for paying off and diſbanding the forces raiſed ſince the 29th of September 1677. The act had a clauſe in it, that for the future, "ſoldiers ſhould not be quartered in any perſon's houſe "againſt their conſent."

State trials, t. II. Echard. Burnet.

At the ſame time the lords informed the commons, that the earl of Danby reſolved to adhere to the plea of his pardon; and that the commons having demanded judgment againſt him, as conceiving his pardon illegal and null, the tenth inſtant was appointed for hearing the earl of Danby to make good his plea. The lords likewiſe acquainted the commons,

commons, that they had reſolved, the five lords in the Tower ſhould be brought to their trials the 14th inſtant." 1679.

The part of the meſſage concerning the earl of Danby ſo offended the commons, that they reſolved, "That no commoner whatſoever ſhould preſume to maintain the validity of the pardon pleaded by the earl of Danby, without "the conſent of the houſe firſt had, and that the perſons ſo "doing, ſhould be accounted betrayers of the liberties of the "commons of England." This vote was poſted up in ſeveral places, that no perſon might be ignorant of it. The true reaſon of theſe proceedings was, that by the examination of the ſeveral articles of the earl's impeachment, the commons hoped to diſcover the king's ſecret practices with the court of France; whereas the king by his pardon had put the affair in ſuch a ſtate, that there would have been no occaſion to examine the earl of Danby's anſwers to the articles exhibited againſt him. A difference betwixt the two houſes on the earl of Danby's affair. Burnet.

The vote of the commons much inflamed the differences that were already begun between the two houſes, about the manner of proceeding againſt the five lords in the Tower. For the lords had addreſſed the king to appoint a lord high ſteward to preſide in the trials; but the commons, thinking it unneceſſary, propoſed, "That a committee of both houſes "might be nominated to conſider of the moſt proper ways "and methods of proceeding upon impeachments." And this is what the lords refuſed, which occaſioned a warm diſpute; but at laſt the lords agreed to the nomination of the committee.

The ſame day the lords communicated to the houſe of commons, a petition from the earl of Danby, in which he ſet forth, "That he met with informations ſeverally from "his council, that he durſt not appear to argue the validity "of his pardon, by reaſon of the vote of the houſe of "commons." Their lordſhips therefore deſired to know, "Whether there was any ſuch vote as was alledged in the "petition?"

It appears plainly in the proceedings of the commons, that they only ſought occaſion to drive things to extremity. With this view, they preſented an addreſs to the king, taking notice, "That multitudes of jeſuits, popiſh prieſts, "and popiſh recuſants, reſorted to the cities of London and "Weſtminſter, in contempt of his majeſty's laws and royal "proclamations. Wherefore they humbly beſought his "majeſty, that the militia of London, Weſtminſter, South-"wark, the Tower hamlets of Middleſex and Surry, "might Addreſs of the commons for the raiſing of the militia. May 10. Kennet. Echard.

1679. "might immediately be raiſed, and put in a poſture of de-
"fence." The next day, though a Sunday, they ordered
A bill brought in againſt the duke of York. Burnet. Kennet.
a bill to be brought in, (purſuant to their reſolve that day fortnight) "To diſable the duke of York to inherit the "imperial crown of England, [n]." Immediately after they reſolved nemine contradicente, "That in defence of the "king's perſon, and the proteſtant religion, they would "ſtand by his majeſty with their lives and fortunes; and "that if his majeſty ſhould come by any violent death, they "would revenge it to the utmoſt upon the papiſts." This
An addreſs to the king. His anſwer. Echard.
was ſoon after put into the form of an addreſs, and preſented to the king, who thanked them, and ſaid, "That "he would do what in him lay to ſecure the proteſtant "religion, and was willing to do all ſuch things as might "be to the good and benefit of his ſubjects."

Kennet.
In the mean time, he ſent them a meſſage the 14th of May, to remind them of what he had ſaid concerning the fleet; but the conſideration of this meſſage, was adjourned till the next Monday ſeven-night.

A difference between the two houſes relating to the biſhops. Burnet. Kennet.
The committee of both houſes meeting to conſider of the way and method of trying the impeached Lords, there was a warm diſpute between the two houſes, concerning the biſhops; the commons pretending, that the biſhops could not ſit upon the trial of the impeached lords, becauſe it was a caſe of blood. The peers on the other hand maintained, "That the lords ſpiritual have a right "to ſtay and ſit in court, till the court proceed to the "vote of guilty, or not guilty." This affair made a great noiſe, and occaſioned ſeveral books to be writ on both ſides [o].

At

[n] This bill was ordered to be drawn up by Mr. Bennet, Mr. Trenchard, ſir Nicholas Carew, ſir Robert Peyton, ſir Thomas Player, mr. Vaughan, ſir Francis Winnington, mr. Boſcawen, mr. Williams, Mr. Hampden, colonel Birch, mr. Sacheverell, and Mr. Swinſen. Echard, tom. III. p. 546.

[o] The lords Nottingham and Roberts argued for the biſhops voting. But the lords Eſſex, Shaftſbury, and Holles were againſt it. Upon a debate it was carried by the majority that the biſhops had a right to vote. Whereupon the commons declared they would not proceed, unleſs the biſhops were obliged to withdraw during the whole trial. Upon this breach the parliament was prorogued, and ſoon after diſſolved. And the blame was caſt chiefly on the biſhops. It ſeems they deſired to withdraw, but the king would not ſuffer it. He was ſo ſet on maintaining the pardon, that he would not venture ſuch a point on the votes of the temporal lords. He told the biſhops they muſt ſtick to him and his prerogative, as they would expect that he ſhould ſtick to them if they came to be puniſht at. By this means they were expoſed to the popular fury, and every where cenſured as a ſet of men that, for their own ends, would expoſe the nation and proteſtant religion to ruin. And in revenge many

At laſt, on the 15th of May, the commons read the first time their bill, "to diſable the duke of York from "inheriting the imperial crown of England, now called "the excluſion bill". After the particulars of the conſpiracy againſt the king, the eſtabliſhed government, and the proteſtant religion, the bill ſet forth: 1679. The excluſion bill is read.

"That the emiſſaries, prieſts, and agents for the pope, "had traiterouſly ſeduced James duke of York, preſumptive heir to theſe crowns, to the communion of the "church of Rome; and had induced him to enter into "ſeveral negotiations with the pope, his cardinals, and "Nuncios, for promoting the Romiſh church and intereſts: and by his means and procurement had advanced the power and greatneſs of the French king to the "manifeſt hazard of theſe kingdoms, that by deſcent of "theſe crowns upon a papiſt, and by foreign alliance and "aſſiſtance, they might be able to ſucceed in their wicked "and villanous deſigns."——Then after another preamble, it was enacted to this effect: The ſubſtance of the excluſion bill.

"1. That the ſaid James duke of York, Albany, and "Ulſter, ſhould be incapable of inheriting the ſaid crowns "of England, Scotland, and Ireland, with their dependencies; and of enjoying any of the titles, rights, prerogatives, and revenues, belonging to the ſaid crowns. "2. That in caſe his majeſty ſhould happen to die, or "reſign his dominions, they ſhould devolve to the perſon "next in ſucceſſion, in the ſame manner as if the ſaid duke "were dead. 3. That all acts of ſovereignty and royalty "that prince might then happen to perform, were not only

many began to declare openly in favour of the non-conformiſts, who upon this behaved very indecently, and fell very ſeverely on the body of the clergy. On the other hand, the biſhops and clergy ſet themſelves to write againſt the late times, and to draw a parallel between them and the preſent times: which was not managed decently enough by thoſe who undertook the argument, and who were believed to be ſet on and paid by the court. Particularly ſir Roger l'Eſtrange for four years publiſhed three or four ſheets a week under the title of the Obſervator, all tending to defame the contrary party, and make the clergy apprehend their ruin was deſigned. Upon this the greateſt part of the clergy delivered themſelves up to much heat and indiſcretion, which was vented both in their pulpits and common converſation. They ſeemed now to lay down all fears of popery; and nothing was ſo common in their mouths as the year forty one, which, as they hinted, was near being acted over again. Both city and country were full of many indecencies that broke out on this occaſion. Among the worthy and eminent men, whoſe labours did in great meaſure reſcue the church from thoſe reproaches, that the follies of others drew upon her, were Tillotſon, Tenniſon, Sharp, Patrick, Sherlock, Fowler, Scot, Calamy, Claget, Cudworth, the two Mores, Williams, &c. Burnet p. 460-462.

"declared

1679. "declared void, but to be high treaſon, and puniſhable "as ſuch. 4. That if any one, at any time whatſoever, "ſhould endeavour to bring the ſaid duke into any of the "forementioned dominions, or correſpond with him, in or- "der to make him inherit, he ſhould be guilty of high trea- "ſon. 5. That if the duke himſelf ever returned into any "of theſe dominions, conſidering the miſchiefs that muſt "enſue, he ſhould be looked upon as guilty of the ſame "offence; and all perſons were authorized and required to "ſeize upon and impriſon him, and in caſe of reſiſtance "made by him and his adherents, to ſubdue them by force "of arms."

The bill read a ſecond time.

Five days after, this bill was read a ſecond time, upon which the queſtion being put, whether the bill ſhould be committed, it was carried by a majority of ſeventy-nine [p].

An enquiry into the members of the laſt parliament. Echard, III. p. 548.

This affair being begun, the commons proceeded to an enquiry after the penſioners in the laſt parliament. By means of ſir Stephen Fox, eighteen were diſcovered who had received annual penſions from the king, two of one thouſand pounds [q], ſix of five hundred pounds [r], ג of four hundred pounds [s], four of three hundred pounds [t], four of two hundred pounds [u]. Beſides, there were ſix others who had received certain ſums at one time: three more were brought in for ſums received upon account; and five for uncertain ſums. Though this number appears not very conſiderable, it is ſo however, if it is conſidered, that in the houſe of commons, there are members, who are ſo able, and of ſuch credit, that they diſpoſe of ſeveral votes beſides their own, ſome more, ſome leſs, and that thirty members who receive penſions, may have it in their power, upon many occaſions, to turn the reſolutions of the houſe in favour of the court.

The parliament prorogued. Kennet. Echard. Temple's mem.

In the mean time, the king being highly offended with the commons, and hearing moreover, that they intended to preſent to him a remonſtrance, much like that preſented to the king his father in 1641, and of which the deſign was to inflame the nation againſt him, reſolved to prorogue the

p Yeas 207. Noes 128.

q Sir Courtney Pool and ſir Job Charlton.

r Sir Jonathan Trelawny, Robert Roberts, ſir James Smith, ſir Philip Howard, ſir Richard Wiſeman, and Randolph Egerton.

s Sir Charles Wheeler, and Thomas Price.

t Sir John Barnaby, ſir Lionel Walden, Daniel Collingwood, and Robert Philips.

u Colonel King, mr. Weſtphaling, Humphrey Cornwal, and mr. Knolls. Echard, tom. III. p. 548.

parliament.

parliament. For this purpoſe he went to the houſe of lords the 27th of May, and ſending for the commons, paſſed ſome bills, and particularly one for ſecuring the liberty of the ſubject, called the Habeas Corpus act, and then prorogued the parliament to the 14th of Auguſt. By this the exclusion bill was defeated for a time. 1679.

The news of the proceedings of the Engliſh parliament had ſo raiſed the hopes of the Scotch malecontents, that they thought the time was come to be revenged of their perſecutors. Sharp archbiſhop of St. Andrews, was the moſt hated of their enemies. If doctor Burnet, in the hiſtory of his own times, is to be credited, Sharp had abundantly merited the hatred of the preſbyterians. For pretending an extraordinary zeal for their party, he had prevailed to be deputed to London after the reſtoration, to take care of their intereſts, but had baſely betrayed them. This raiſed him to the archbiſhoprick of St. Andrews, and from that time he became their moſt violent perſecutor. Whether Burnet's account of Sharp be exactly true, or aggravated, it is however not to be denied, that the Scotch preſbyterians were extremely incenſed againſt Sharp, and conſidered him as a betrayer. Wherefore in this juncture, when they expected great alterations, twelve of them reſolved to begin their revenge upon their enemies with the archbiſhop. For this purpoſe they waited for him about two miles from St. Andrews, where he was going in a coach and ſix, and moſt inhumanly and barbarouſly murdered him, calling him, "apoſtate, betrayer of the godly, and perſecutor of Chriſt's "church." This murder was committed the 2d of May*. In the end of the ſame month, eighty preſbyterians appeared in arms, and in a few days their number increaſed to fifteen hundred. They ſeized Glaſcow, and ſome other towns in the neighbourhood, and committed great outrages.

The barbarous murder of the archbiſhop of St. Andrews. Burnet. Echard.

An inſurrection in Scotland. June 1. Burnet. Echard.

* Though Rapin names Burnet, he follows Echard's account of this murder, which is very different from the biſhop's. Burnet ſays, as a party of furious men were riding through a moor near St. Andrew's [without any deſign then upon Sharp] they ſaw the archbiſhop's coach appear. He was coming from a council-day, and was driving home, having ſent ſome of his ſervants before to let them know he was coming, and others he had ſent off on compliments; ſo that there were no horſemen about the coach. They, ſeeing this, concluded, according to their frantic enthuſiaſtick notions, that God had now delivered up their greateſt enemy into their hands. Seven of them rode up to the coach, and one fired a piſtol at him, which burnt his coat and ſhirt, but did not touch his body. Upon this they drew him out of his coach, and murdered him barbarouſly, p. 471.

1679. The king hearing of this rebellion, and that it daily gathered ſtrength, ſent the duke of Monmouth at the head of ſome Engliſh forces, who were joined by ſome Scotch regiments. The duke diſcharged his commiſſion with ſuch bravery and ſucceſs, that the 22d of June he entirely defeated the rebels at Bothwell bridge, killed eight hundred, and took about twelve hundred priſoners. Several were hanged, and the reſt were tranſported.

Suppreſſed by the duke of Monmouth. Echard.

Shortly after the prorogation of the parliament, the five jeſuits, Whitebread, Harcourt, Fenwick, Gawen, and Turner, were tried. The 13th of June they were brought to the Old Baily, where their indictment was read, and the witneſſes heard.

The trial of five jeſuits. Burnet.

Oates's evidence was. "1. That the great conſult of "the 24th of April 1678, was by order of Whitebread "the provincial, and that he, Fenwick, Harcourt, and "Turner, did all in his preſence ſign the reſolve for the "king's death. 2. That Whitebread, after his return to "St. Omer's, did ſay, He hoped to ſee the black fool's "head at Whitchall, laid faſt enough; and if his brother "ſhould appear to follow his footſteps, his paſſport ſhould "be made too.

Oates's depoſition. State trials, fol. II. p. 831.

"3. That in July, Aſhby a prieſt, brought over in"ſtructions from Whitebread, to offer ſir George Wakeman "ten thouſand pounds to poiſon the king; and alſo a com"miſſion to ſir John Gage to be an officer in the army "they deſigned to raiſe, which the witneſs delivered to "ſir John.

"4. As for Gawen, though he could not poſitively ſay, "he ſaw him at the conſult, yet he ſaw his hand ſubſcribed "to the reſolve: and that in July 1678, he gave them "in London, an account how proſperous their affairs were "in Staffordſhire and Shropſhire; that the lord Stafford "was very diligent, and that there was two or three thou"ſand pounds ready there to carry on the deſign; all "which he afterwards heard him declare in father Ire"land's chamber."

p. 831, 832.

Stephen Dugdale, a new witneſs, depoſed, "1. Againſt "Whitebread, that he ſaw a letter under his hand to fa"ther Evers a jeſuit, and confeſſor to the witneſs; in "which he ordered him to be ſure to chuſe men that were "hardy and truſty, no matter whether they were gentle"men: and he ſwore what they were to do; that the "words under his hand were in expreſs terms,——For "killing the king.

Dugdale's depoſitions. Id. p. 836.

"2. A-

" 2. Againſt Gawen he ſwore, that he entertained the witneſs to be of the conſpiracy to murder the king, as one of the reſolute fellows deſcribed by Whitebread: and for that end they had ſeveral conſultations in the country; as at Boſcobel, and at Tixall in September 1678. And he heard them talk in one of thoſe conſults, that it was the opinion of the monks at Paris, who were to aſſiſt in the conſpiracy, That as ſoon as the deed was done, they ſhould lay it on the preſbyterians, and ſo provoke the other proteſtants to cut their throats. That he had intercepted and read above a hundred letters to the ſame purpoſe, to be delivered by private marks known to father Evers. 1679.

" 3. That the witneſs himſelf was ſo zealous in the cauſe, that he had given them four hundred pounds for carrying on the deſign, which Gawen had made him believe was not only lawful, but meritorious; and that he was to be ſent up to London by Harcourt, there to be inſtructed about killing the king.

" 4. That the ſame Harcourt did write word to father Evers, of ſir Edmundbury Godfrey's being diſpatched, that very night it was done; ſo that they knew of it in Staffordſhire ſeveral days before it was commonly known in London [x]. And to confirm this teſtimony, he produced mr. Chetwin, a gentleman, who ſwore, he did hear it reported as from mr. Dugdale; and that he was not in town when the murderers of ſir Edmundbury Godfrey were tried, or elſe he then would have witneſſed the ſame.

5. Againſt Turner he ſwore, " 1. That he ſaw him with others, at Evers's chamber; where they conſulted together to carry on this deſign, of bringing in popery by killing the king." p. 840.

Prance depoſed, " 1. That Harcourt one day paying him for an image of the Virgin Mary, told him, there was a deſign of killing the king: 2. And that Fenwick told him in Ireland's chamber, that there ſhould be fifty thouſand men in arms, in a readineſs to ſettle their religion, and that they ſhould be commanded by the lords Bellaſis, Powis, and Arundel of Warder." Prance's depoſition. Ibid.

[x] Harcourt's letter was received the Monday next after the Saturday, on which the murder was committed; that is, three days before the body was found. State trials, tom. II. p. 838.

1679. Bedloe depoſed, "1. That he had ſeen Whitebread and "Fenwick at ſeveral conſults about the plot; and that he
Bedloe's de-poſition. p. 841. "had heard Whitebread at Harcourt's chamber, tell Cole-"man, the manner of ſending the four ruffians to Wind-"ſor to kill the king.

"2. That he ſaw Harcourt take out of a cabinet about "fourſcore or a hundred pounds, to give to a meſſenger, "to be carried to the ſaid ruffians, with a guinea to the "meſſenger, to drink mr. Coleman's health.

"3. That Whitebread told him, that Pickering was to "have a great number of maſſes, and Grove fifteen hundred "pounds for killing the king.

p. 842. "4. That Harcourt employed him three ſeveral times "to carry their conſults beyond the ſeas; and that in Har-"court's preſence, he received Coleman's thanks for his "fidelity, and that Harcourt recommended him to the "lord Arundel, who promiſed him great favour when the "times were turned: alſo that he ſaw Harcourt give "Wakeman a bill to receive two thouſand pounds, in "part of a greater ſum; and heard ſir George ſay, 'fif-p. 843. "teen thouſand pounds was a ſmall reward for the ſet-"ling of religion, and preſerving the three kingdoms from "ruin."

A letter produced. Ibid. Beſides the evidences, there was a letter found amongſt Harcourt's papers, from one Petre a jeſuit, which named a meeting deſigned on the 24th of April 1678. This letter ſerved to fortify Oates's evidence of the grand conſult. But this was explained by the priſoners to ſignify a triennial meeting about the choice of a procurator to be ſent to Rome, though not to the full ſatisfaction of the court, which looked upon it as an evaſion.

The priſoners defence. p. 835. The defence made by the priſoners was various and long. Beſides their frequent aſſeverations and proteſtations of their innocence, and their ignorance of any deſigns againſt the king, they much argued againſt the witneſſes, inſiſting: "That to the making of a credible witneſs, there muſt be "integrity of life, truth of teſtimony, and probability of "matter; but the witneſſes againſt them, Oates, Bedloe, "Prance, and Dugdale, were men of deſperate fortunes,

y Calwen made this ſolemn proteſtation; "I do as truly believe there is a "God, an heaven, and a hell, as any "one here does: as I hope for ſalvation, as I hope to ſee God in heaven, "I never ſaw mr. Oates before the "day of January, when he ſays, I had "the piſtol with him, and he did not "know me; and as for July, I call "God to witneſs, I never ſaw him "then." State trials, tom. II. p. 835.

"and

" and flagitious perſons, and that falſe ſwearing was their " livelihood." 1679.

I cannot forbear remarking here by the way, that if this maxim, " That to make a credible witneſs, there muſt be " integrity of life," was received without reſtriction, it would be almoſt impoſſible to prove ſuch plots as this, becauſe commonly, only villains engage in them, and they are diſcovered by accomplices. A remark.

" They alledged particularly the great improbability of " truſting Oates with ſecrets of the higheſt importance, " when he was turned away from St. Omer's for his miſ- " demeanours and immoralities, which were ſo great, that " he was denied the ſacrament. They charged him with " contradictions, with relation to his former evidences." Ibid.

Theſe contradictions conſiſted, in, that Oates had ſaid before the council, that he knew no more, and yet added many things afterwards. I ſhall not repeat here what I have ſaid elſewhere.

They produced about ſixteen witneſſes to prove, " that " Oates had been all April, May, and till the latter end " of June 1678, at St. Omer's; and that they ſaw him every " day, and converſed and dined with him, and that he was " never out of the college, except two days and one night " he was at Watton, and two or three he was in the in- " firmary, &c. and conſequently he could not be at the " conſult of the 24th of April. State trials, t. II. p. 346. &c.

And further they proved, " That ſir John Warner, and " ſir Thomas Preſton, whom Oates had ſworn to come " over with him to the conſult, were all that time beyond " the ſeas, one at Watton, the other at Liege. Ibid. p. 854. 859, 863.

And moreover to ſhow that Oates was not a man to be credited, they produced eleven witneſſes to prove, " That " father Ireland, who was executed, was not at London, " and made it appear directly contrary to what he had ſworn " upon his trial." They added, " that if the evidence of " their ſide ſhould be rejected becauſe they were Roman " catholicks, all commerce with ſeveral countries would " be deſtroyed." p. 859, 863.

The chief juſtice replied, that they had no room to complain of the witneſſes being rejected by the court, ſince, on the contrary, their depoſitions were received without any ſcruple, and that it belonged to the jury to determine upon their evidence, as they ſaw cauſe. Ibid.

In anſwer to theſe accuſations, Oates alledged, " That " his coming to London to the conſult was very private; p. 864, &c.

1679. "yet he produced ſix witneſſes to teſtify they ſaw him "there about that time, but in a ſort of a diſguiſe y." But none ſpoke very home but mr. Smith a ſchoolmaſter of Iſlington, who afterwards, in the reign of king James II., retracted all that he had ſaid.

Ibid. p. 858. As to Ireland's being in London, Oates produced one witneſs, who did affirm to have ſeen him there at that time.

Gawen offered to undergo the ordeal, or fiery trial over red hot plow ſhares, as a teſt of his innocence. But, beſides that this way of proving an accuſed perſon's innocence had been aboliſhed ſix hundred years, and conſequently was not to be allowed by the court, it is certain that when the trial by ordeal was practiſed, it was never admitted but where evidences failed, which could not be ſaid of Gawen.

Harcourt urged in his defence, with regard to the letter ſaid to be writ by him to Evers concerning Godfrey's death, that he muſt have been mad to ſend ſuch a letter by the poſt.

The jeſuits condemned. The jury, after a ſhort conſideration, returned, and brought in all the five priſoners guilty of high treaſon; but ſentence was reſpited till the next day, on which came

Langhorn's trial. on the trial of Richard Langhorn a popiſh counſellor at law of the Temple, and much employed by the papiſts.

Burnet, p. 465. Being brought to the ſame place with the five jeſuits, and before the ſame perſons, with a new jury, Oates appeared and ſwore:

State trials, t. II. p. 878, &c. "1. That the priſoner held correſpondence with la Chaiſe "and others, and that the witneſſes carried ſeveral letters to "perſons beyond the ſeas; in one of which he ſaw under "his own hand, words to this purpoſe, that the parliament "began to flag in promoting the proteſtant religion, and "now they had a fair opportunity to begin and give the "blow, with other expreſſions plain enough concerning the "plot.

"2. That he had orders from the provincial Whitebread, "to give mr. Langhorn an account of the reſolve of the "great conſult, April the 24th 1678, and upon acquainting "him with it, Langhorn lifted up his hands and eyes, and "prayed to God to give it good ſucceſs.

y An old Dominican frier, ſtill of that church and order, ſwore he ſaw Oates in England, and ſpoke with him at that time. By this the credit of the St. Omer ſcholars was quite blaſted. Burnet, p. 464.

"3. That

" 3. That he ſaw in his chamber certain commiſſions 1679.
" which they called patents; and that he permitted the
" witneſs to peruſe ſeveral of them: one was to the lord
" Arundel of Warder, to be lord chancellor, another
" to the lord Powis, to be treaſurer, and one to the
" priſoner, to be advocate of the army; all ſigned Jo-
" hannes Paulus de Oliva, by virtue of a brief from the
" pope.

" 4. That being employed as a ſollicitor for ſeveral of
" the fathers of the ſociety, the priſoner prevailed upon the
" Benedictine monks, to raiſe ſix thouſand pounds for car-
" rying on the cauſe; and ſaid in his hearing, that he would
" do his utmoſt for procuring the money.

" 5. That he was diſguſted, that ſir George Wakeman
" was not contented with ten thouſand pounds to poiſon the
" king, and called him, a narrow ſpirited, and narrow
" ſouled phyſician; who, for ſo publick a cauſe, ought to
" have done it for nothing.

6. An inſtrument being produced, ſigned Paulus de Oliva, found in Langhorn's chamber; Oates ſwore, " That
" the forementioned commiſſions were ſigned by the ſame
" hand; but they were all conveyed away, and this being
" only an eccleſiaſtical buſineſs, and not dangerous as they
" thought, was left behind."

In the next place Bedloe ſwore, " 1. That going with p. 883.
" Coleman to the priſoner's chamber, the former gave him
" his letters to father la Chaiſe, the pope's nuntio, and o-
" thers, open, to read, and regiſter in a book kept by him
" for that purpoſe; and that ſome of the expreſſions in
" theſe letters were, to let la Chaiſe know, they waited
" only now for his anſwer, how far he had proceeded with
" the French king, for the ſending of money; for they only
" wanted money, all other things being in readineſs. That
" the catholicks of England were in ſafety; that places and
" offices had been diſpoſed to them, and that all garriſons ei-
" ther were, or ſuddenly would be, in their hands; and now
" they had a fair opportunity, having a king that was ſo
" eaſy to believe what was dictated to him by the catholick
" party.

" 2. That he brought other letters from Harcourt to
" Langhorn to be regiſtered; of which letters, one was for
" the rector of the Iriſh college at Salamanca, which ſpe-
" cified, that the lord Bellaſis, and the reſt of the lords
" concerned ſhould be in readineſs, for that they had ſent
" ſome Iriſh caſhiered ſoldiers, with many lay brothers, un-

1679. "der the notion of pilgrims from St. Jago, who were to "take ſhipping at the Groyn, and to land at Milford haven, "and there to join with the lord Powis."

p. 887. Mr. Langhorn in his defence, beſides the ſolemn proteſtations of his innocence, alledged, "That Oates and Bedloe, the witneſſes againſt him, were parties in the crime, "and deſired to know, whether they had their pardons." Upon underſtanding that Bedloe had three, and Oates had two under the broad ſeal; he inſiſted, "That they were "ſtill approvers in the eyes of the law, and therefore not "to be heard; and deſired to know, if they expected any "rewards for their diſcoveries." Oates replied upon oath, "That he had been rewarded by expending ſix or ſeven "hundred pounds out of his own pocket, without knowing "if he ſhould ever ſee it again." Langhorn then alledged, "He had heard Bedloe had received five hundred pounds;" but he was anſwered, "That that was for the diſcovery of "ſir Edmundbury Godfrey's murder, and not for the plot." And Bedloe ſwore, "That he was ſo far from having any "benefit for that diſcovery, that he was ſeven hundred "pounds out of pocket." When the priſoner inſiſted upon the improbability of their aſſertions, by reaſon of their great neceſſities and poverty, when they firſt made their diſcoveries, he was told, "That ſuch enquiries were fo-

p. 88[illegible], &c. "reign to the matter in hand." And ſo he proceeded to prove Oates to be perjured, with reſpect to the conſult in April 24, and to the buſineſs of father Ireland, by the ſame witneſſes that had been uſed by the five jeſuits the day before. Whereupon the chief juſtice told him, that a witneſs could not be rejected as perjured, unleſs he was declared ſo upon a trial, and therefore his allegation could not be of any ſervice to him.

p. 894. As Oates had formerly ſworn, that he lay at Grove's houſe about the time of the conſult, he brought mrs. Grove to teſtify, that he never was there about that time; which was confirmed by her maid; and both affirmed, that the houſe was taken up, and that there was no room to lodge him. The court thereupon ſaid, that being diſguiſed he might lodge there without being known.

p. 895. While this trial was depending, Roger Palmer earl of Caſtlemain came into the hall, and told the judges, that the mob uſed violence to the witneſſes who had depoſed in favour of the priſoners, and that they were in danger of their lives; upon this the court ordered immediate enquiry to be made

made after the authors of these violences, in order to punish them according to their desert. 1679.

In conclusion, the jury brought in Langhorn guilty, and he received sentence, together with the five jesuits, who had been tried the day before. Langhorn is condemned.

On the 20th of june, the five jesuits were executed, protesting their innocence. Whitebread in particular, declared, "That he renounced from his heart all manner "of absolutions, dispensations for swearing, &c. which "some had been pleased to lay to the jesuits charge, think-"ing them unjustifiable, and unlawful." Langhorn was reprieved for a month [z]. He was executed the 14th of July, and died, protesting his innocence of the crimes for which he was condemned. It was the wonder of many, that so able a lawyer, if he was innocent, had made so weak a defence. The jesuits executed without making any confession. State trials, t. II. p. 908, 913.

As the death of these five jesuits, and of the three before executed, made a great noise; and as to this day they are believed innocent by some, and guilty by others, I cannot forbear to make a few reflections upon this subject, to assist the reader to judge impartially.

1. The truth will never be discovered, if men suffer themselves to be swayed by religious prejudices. If we believe an accused person guilty, because he is a papist or jesuit, or if for the same reason we believe him innocent, all examination is vain. The prejudiced person always finds reason and justice in one or other of these two opinions, and therefore he must, if possible, divest himself of his prejudices. A reflection upon these trials.

2. The condemned jesuits were accused of three things; of a design to kill the king; to subvert the government; to root out the protestant religion. And yet, most of the evidences against them ran only upon the first of these three articles, the two others being supposed. It is nevertheless upon this supposition, that the accusation of designing to kill the king is built, because it is pretended, that the aim of the conspirators was to place the duke of York on the throne, as more proper to advance their designs than the king his brother. But this protension is not proved, nor does it appear in the evidences produced against them, that this was their aim.

[z] In hopes of his making some discovery. He offered to declare what estates and stock the jesuits had in England; but protested he could make no other discovery. Burnet, p. 466.

3. But

1679. 3. But on the other hand, it can hardly be denied, that throughout this whole reign, there was a ſettled deſign to render the king abſolute, and introduce the popiſh religion. This muſt be the meaning of theſe expreſſions, "To ſubvert the government, and deſtroy the proteſtant religion." This being ſuppoſed, it is not improbable, that the papiſts and jeſuits might believe, that their project would be ſooner executed if the king was removed, and the duke of York placed on the throne.

4. It is therefore upon this probability, that the jeſuits have been accuſed of projecting to kill the king. It is ſuppoſed, that being concerned in the general deſign, or the plot, they believed the king's death a proper means to haſten the execution, and here the witneſſes were very poſitive.

5. The defences of the priſoners conſiſted chiefly, 1. In aſſeverations and proteſtations of their innocence. 2. In the depoſitions of the witneſſes from St. Omer's, and Staffordſhire, who proved, that Oates was not at London the 24th of April 1678. 3. In the improbabilities in the evidence given by Oates and Bedloe. Upon theſe three heads I propoſe to make ſome reflections.

1. The proteſtations and aſſeverations of the accuſed during their trial are not to be regarded. But when they are carried to the point of death, they ought to be conſidered. If they are not a poſitive proof, they form at leaſt a preſumption, becauſe papiſts are not leſs convinced than proteſtants, that lying is not the way to eſcape the juſt judgment of God, before whom they are ſhortly to appear; and that, beſides, theſe proteſtations never prevail for a reverſal of the ſentence. I am aware that the jeſuits are accuſed of approving equivocations and mental reſervations. But, without examining how far this charge may be proved, it is certain, that father Whitebread, upon the ladder, teſtified an abhorrence of this doctrine, and renounced all pardons and diſpenſations from the pope, or any other power, for ſwearing or ſpeaking againſt the truth [a]. It is not therefore impoſſible, that without there was paſſion or prejudice

[a] Rapin ſeems not to have taken notice of a paſſage in Burnet on this occaſion. One Serjeant, a ſecular prieſt, a zealous papiſt in his way, ſome months after theſe executions, appeared before the council upon ſecurity given him, and averred, that Gawen the jeſuit, who died proteſting he had never thought it lawful to murder kings, but had always deteſted it; had, at his laſt being in Flanders, ſaid to a very devout perſon, from whom Serjeant had it, that he thought the queen might lawfully take away the king's

judice in the judges and juries, the jeſuits, though innocent, would have been condemned upon falſe evidence. Accordingly, this is what many pretend: but there are others who carry the thing further, and maintain, that the accuſed might have been acquitted, if the paſſion and prejudice of the judges and juries had not prevented it. This we ſhall examine in the next article. 1679.

2. I have elſewhere ſpoken of the defence, founded upon the proof of the alibi, which obliges the judge to render juſtice by chance, ſince, there being a direct contrariety between the evidence, the judges cannot be ſatisfied on which ſide the truth lies. Oates depoſed, that he had aſſiſted at the grand conſult in London, April 1678. He produced ſeven witneſſes, who affirmed, that they ſaw him in London at that time. The jeſuits on their ſide produced ſixteen witneſſes, who affirmed, that Oates was at St. Omer's at the ſame time. It muſt be therefore, either that Oates and his witneſſes, or thoſe of the jeſuits, were falſe. Now, that which probably determined the jury to bring in the jeſuits guilty was: firſt, the priſoners objected only a bare denial to the teſtimonies of Prance, Dugdale, and Bedloe, which could not but breed a diſadvantageous prejudice againſt them. Secondly, the witneſſes from St. Omer's were all ſcholars, or perſons depending upon the jeſuits college, another conſideration capable to prepoſſeſs the jury. Laſtly, the queſtion was to examine a plot contrived by papiſts, as ſuch, and in favour of their religion, and not as private perſons, incited by other paſſions. In this caſe, it is not very ſtrange, that the evidences given by papiſts appeared ſuſpicious. For it is certain, at that time, the opinion, ſupported by the votes of two ſeveral parliaments, that there was a real plot to ſubvert the proteſtant religion, was generally embraced throughout the whole kingdom.

As to the ſuperiority of ſixteen witneſſes againſt ſeven, this could occaſion no difficulty. For ſeven witneſſes diſperſed in London, who had only accidentally ſeen Oates, were as credible as the ſixteen ſhut up in one houſe at St. Omer's [b]. And though there had been but two from St. Omer's, yet, all other circumſtances being equal, they

king's life for the injuries he had done her, but much more becauſe he was a heretick. Upon that Serjeant ran out into many particulars, to ſhow how little credit was due to the proteſtations made by the jeſuits, even at their death, p. 466.

[b] See note above, concerning the Dominican friar.

would

1679. would have been as credible as the ſeven witneſſes of London.

3. I proceed now to the improbabilities in the depoſitions of Oates and Bedloe. Firſt, it is difficult to conceive the neceſſity of reſolving the king's death in an aſſembly of fifty jeſuits. Secondly, it may with reaſon be ſuppoſed, that an affair of ſuch importance as the aſſaſſination of a king, paſſes through the hands of thoſe only who are moſt diſtinguiſhed in the ſociety, either by their poſts or capacity. But it is hardly credible, that fifty ſuch could be found in England or at St. Omer's. Thirdly, I know not that any perſon, to this day, has poſitively affirmed that Oates was a jeſuit. And yet he not only appears in the grand conſult of the 24th of April, but has an office in it of great truſt and importance, namely, to carry the reſolution of killing the king, to the ſeveral companies into which the aſſembly was divided. Fourthly, it is not ſaid, at what time Oates turned papiſt; but it is only ſeen, he was firſt employed in 1677, to carry letters to Spain. He returned about the end of the ſame year, and ſhortly after was ſent to St. Omer's, where he continued but three or four months. Now it is not probable, that this ſhort ſtay at St. Omer's could have acquired him the confidence of the heads of the ſociety, to ſuch a degree, as to be ſent to London to aſſiſt in a grand conſult, where the king's murder was to be reſolved. Fifthly, why was Bedloe to be admitted into ſo great a ſecret, he who was to have no ſhare in the execution? And yet he ſpeaks of it as a thing with which he was perfectly acquainted, not only from letters which he might have opened, but it appears even by his depoſitions, that the heads of the conſpiracy, Ireland, Whitebread, Harcourt, Coleman, Langhorn, uſed no caution with him; from whence it may be inferred, that they themſelves imparted to him the ſecret. He is at Harcourt's chamber, when the money is ordering for the four Iriſhmen who were to kill the king. He is at the ſame chamber when the queen's phyſician receives a note of two thouſand pounds ſterling, without any apparent neceſſity of his preſence in an affair of that nature. Sixthly, Oates and Bedloe were men of mean birth, who had been only employed as letter carriers. They were beſides little diſtinguiſhed for their capacity, or talents, and yet they are admitted into all the moſt important ſecrets of the plot. Laſtly, it appears in the depoſitions of Oates and Bedloe, that the conſpirators talked together, and writ to one another, concerning the king's murder, as if it

had been but a trifle, and without even taking the uſual pre- 1679.
cautions on ſuch occaſions, of diſguiſing their thoughts in ambiguous expreſſions,

Theſe are improbabilities which give but too much occaſion to ſuſpect the credit of theſe two witneſſes. It will perhaps be ſaid, that a thing is not falſe becauſe it is improbable; and that God ſometimes permits the moſt wary villains to ruin themſelves by a too great confidence in others. This may be, and it may alſo be, that this was not the preſent caſe. At leaſt it may be affirmed, that the jeſuits are not wont to proceed with ſo little caution.

Theſe are the improbabilities that have induced many people, though perſuaded of the reality of the plot, as far as it concerned the government and religion, to ſuſpend their judgment with regard to the king's murder. The ſame improbabilities likewiſe have furniſhed others with a pretence for denying the whole plot, becauſe they are pleaſed to confine it to that ſingle article, in which they impoſe upon themſelves, or elſe are deſirous to impoſe upon their readers.

The king diſſolves the parliament. Kennet. Echard.

The 10th of July the king, contrary to the advice of his new council, which he ſeemed to have reſolved to follow with an entire deference, diſſolved the parliament, and ſummoned another to meet the 17th of October. He hoped to find the next more tractable, but was very much deceived. The people, who no longer regarded what came from the court, affected to ſend ſuch members as were of the country party, as being the moſt proper to oppoſe the deſigns of the king. The earl of Shaftſbury was at the head of this party, and without doubt greatly contributed to inflame the paſſions of the people. But it is perhaps ſaying too much, to charge this lord with all the king's late mortifications. If it could be proved, that the king had never given any occaſion of diſcontent to his people, we ſhould be obliged to recur to ſome extraordinary cauſe of the parliament's ill humour, as the intrigues, cabals, and artifices of ſome powerful and popular perſon. But what need is there to ſeek for an extraordinary cauſe, when one ſo naturally offers in the whole conduct of the king, who had hitherto ſhown, that his intereſts and thoſe of his people were intirely different?

Sir George Wakeman and others tried, State trials, t. II. Burnet.

The 18th of June, ſir George Wakeman the queen's phyſician was brought to his trial, together with James Corker, William Marſhal, two Benedictine monks, and William Rumley, a lay brother of that order. Oates and Bedloe were

1679. were the witneſſes againſt them: but, beſides that their depoſitions were imperfect, and the greateſt part upon hearſay, and could paſs for proofs only on the ſuppoſition of the deſign to poiſon the king, which was not well proved, the jury doubtleſs conſidered, that a perſon of ſir George Wakeman's ſenſe, would never truſt ſuch a ſecret to Bedloe, whom he ſcarce knew. Nay, he ſwore that he never ſaw Bedloe before in his life. However this be, the priſoners were acquitted, to the great mortification of the two witneſſes, ſince it was eaſy to ſee, that Oates and Bedloe were evidences capable of ſwearing to things of which they had no perfect knowledge [c].

and acquitted.

The king's ſickneſs. Kennet. Echard. Temple. Burnet.

About the end of Auguſt, the king being at Windſor, was ſeized with three violent fits of an intermitting fever, which gave great apprehenſion. The earl of Eſſex and the lord Halliſax, two of the four counſellors which then managed the king's affairs, fearing, if the king died, to fall into the hands of the duke of Monmouth and the earl of Shaftſbury, adviſed the king to ſend for the duke of York, which was done with all poſſible ſpeed and ſecrecy; for the duke was at Windſor the 2d of September. But the king, being then out of danger, pretended a ſurprize at his arrival. But this diſſimulation was not capable to deceive the duke of Monmouth and the earl of Shaftſbury. On the other hand, the earl of Eſſex and the lord Halliſax, finding that they had made Monmouth and Shaftſbury their irreconcileable enemies, joined with the duke of York for their deſtruction. They ſucceeded ſo well, that the king removed the duke of Monmouth from his poſt of captain general, and ſent him into Holland, to the great ſurprize of the whole court, for the duke of Monmouth was in the height of the king's favour before the duke of York's arrival [d]. Shortly after, Shaftſbury alſo was turned out from being preſident of the council [e]. Thus the court had a new face, and the duke of York was more powerful

The duke of York returns.

The duke of Monmouth and Shaftsbury in diſgrace. Kennet. Echard.

[c] The lord chief juſtice Scroggs, who had been very violent againſt the priſoners hitherto, was obſerved, far contrary to his former practice, to turn againſt the witneſſes in this trial. The Portugal ambaſſador went next day with great ſtate to thank Scroggs for his behaviour in Wakeman's trial. By which the chief juſtice was expoſed to much cenſure. This was looked on; it ſeems, as the queen's trial as well as Wakeman's. For Oates and Bedloe had both depoſed, that ſhe was to aſſiſt him in poiſoning the king. Burnet, p. 468.

[d] In his room Chriſtopher Monk, duke of Albemarle, was made captain of the life guards of horſe, and John Sheffield earl of Mulgrave, governor of Hull, &c. Kennet, p. 368.

[e] He had called a council juſt before, while the king was at New-market, and repreſented to them the danger the king was in, by the duke's being ſo near

ful than ever. He improved this happy juncture to obtain the king's leave to retire to Scotland, repreſenting to him the danger of his being in the Low Countries, in caſe of his majeſty's death. Accordingly, he returned to Bruſſels, to bring home his duchefs and the princeſs Anne, and arriving ſhortly after at London, departed for Scotland, 1679. October 7.

If dr. Burnet is believed in the hiſtory of his own times, he governed Scotland in an arbitrary manner, and gave manifeſt tokens of his cruelty and inveterate hatred to the preſbyterians. The duke of York goes for Scotland October 27. Kennet.

Every one impatiently expected, where would end the late alterations at court, and it was not long before it appeared. The 15th of October, the king ſummoning his council, after a little pauſe, told them, "That upon many "conſiderations, which he could not at preſent acquaint "them with, he found it neceſſary to make a longer pro- "rogation of the parliament than he intended: that he "had conſidered all the conſequences ſo far as to be ab- "ſolutely reſolved, and not to hear any thing that ſhould "be ſaid againſt it: that he would have the meeting put "off, till that time twelve month." The counſellors ſurprized at this reſolution, and ſtill more at the manner of propoſing it, were moſt of them ſilent. Some however offering to repreſent to the king the dangerous conſequences of this reſolution, were injoined ſilence. But ſir William Temple, more bold than the reſt, ſtood up, and with great freedom told his majeſty, "That as to the re- "ſolution he had taken, he would ſay nothing, becauſe he "was reſolved to hear no reaſoning upon it; therefore "he would only preſume to offer him his humble advice "as to the courſe of his future proceedings; which was, "that his majeſty in his affairs would pleaſe to make uſe "of ſome council or other, and allow freedom to their "debates and advices; after hearing which, his majeſty "might yet reſolve as he pleaſed. That if he did not "think the perſons or number of this preſent council ſuited "with his affairs, it was in his power to diſſolve them, "and conſtitute another of any number he pleaſed, and "to alter them again when he would: But, to make coun- "ſellors that ſhould not counſel, he doubted whether it "was in his majeſty's power or not, becauſe it implied a "contradiction: and ſo far as he had obſerved, either of

Burnet. The king contrary to the advice of his council, prorogues the parliament. Temple's mem. Echard.

near him, and preſſed the council to repreſent this to the king; but they did not agree to it. And upon the king's coming to London, he was removed, and lord Roberts, then made earl of Radnor, was made preſident. Burnet, p. 477.

"former

1679. "former ages, or the preſent, he queſtioned, whether it was "a thing ever practiſed in England by his majeſty's pre- "deceſſors, or were ſo now by any of the preſent princes "in chriſtendom: therefore he humbly adviſed him to con- "ſtitute ſome ſuch council, as he would think fit to make "uſe of, in the direction of his great and publick affairs.

Changes in the council. Kennet. Echard.

This proceeding cauſed ſeveral counſellors to ſurrender their commiſſions to the king, and others to abſent themſelves from the council [f], not thinking proper to encourage by their preſence the king's ſecret reſolutions, and give occaſion to believe, they approved them. The earl of Eſſex reſigned his place of firſt commiſſioner of the treaſury. The lord Halliſax, Sir William Temple, and ſome others, retired into the country. Thus the council which the king had appointed to amuſe the people, was almoſt diſſolved, and the direction of the publick affairs remained in the hands of the earl of Sunderland, mr. Laurence Hyde, and mr. Sidney Godolphin [g], or rather the duke of York, whoſe intereſts they had embraced; and who, though abſent directed their reſolutions.

A plot contrived. Dangerfield's narrat. Burnet, p. 475.

In the latter end of October, about a fortnight after the prorogation of the parliament, a ſham plot was diſcovered, contrived by the papiſts to bring an odium upon the preſbyterians and the heads of the country party. This project had been formed the beginning of Auguſt, by the counteſs of Powis, Elizabeth Celher a midwife, the earl of Caſtlemain, and the five lords in the Tower. The deſign was to make uſe of falſe witneſſes to accuſe Oates of perjury and ſodomy; to aſſaſſinate the earl of Shaftſbury; and to charge the duke of Buckingham, the earl of Eſſex, the duke of Monmouth, the lord Halliſax, and ſeveral conſiderable citizens of London, with being concerned in a plot againſt the king. One Dangerfield was to be the principal actor in this ſcene [h]. He received his inſtructions from the lady Powis, and the lords in the Tower, with a liſt of the perſons whom he was to accuſe [i]. Moreo-

Dangerfield the chief actor in it.

[f] Namely, the lord Ruſſel, the lord Cavendiſh, ſir Henry Capel, and mr. Powle. Kennet, p. 368.

[g] This laſt, and Daniel Finch, Eſq; firſt commiſſioner of the admiralty, were ſworn privy counſellors, February 4. Ibid.

[h] Burnet gives him this character: "That he was a ſubtle and dexterous "man, who had gone through all the "ſhapes and practices of roguery, and "in particular, was a falſe coiner. "He was in jail for debt, and was in "an ill intrigue with one Cellier a po- "piſh midwife, who had a great ſhare "of wit, and was abandoned to lewd- "neſs, p. 475.

[i] They were, the lords Grey, and Howard of Eſerick, the dukes of Monmouth and Buckingham, ſir William Waller, colonel Blood, &c. Dangerfield's narrative, p. 35.

ver,

ver, the lady Powis gave him a model of the plot, which he was to convey into the houſe of ſome pretended conſpirator, and there cauſe it to be found, 1679.

Dangerfield furniſhed with theſe inſtructions and papers, informed the duke of York of it, after his arrival from Bruſſels. The duke of York made him a preſent of twenty guineas, and introduced him to the king, who, after hearing him, gave him forty more. Then he made ſome attempts to aſſaſſinate the earl of Shaftſbury, but was prevented by ſeveral accidents. At laſt, on pretence of ſeeing ſome rooms, which he ſaid he intended to hire, he went to colonel Manſel's lodgings [k], and found means to pin ſome dangerous papers behind his bed's head. This done, he informed two officers of the cuſtom-houſe, that there were in thoſe lodgings, prohibited goods to the value of two thouſand pounds. The officers repairing thither the 22d of October, ſearched every where in hopes of finding their prey; but as they did not think to ſearch behind the bed, Dangerfield himſelf found the papers. The officers carrying theſe papers to their ſuperiors, had orders to return them to Manſel. Four or five days after, the colonel meeting Dangerfield in the ſtreet, carried him directly to Whitehall, and brought him before the king and council. He was ſtrictly examined, and, after a full hearing, his contrivance being detected, he was ſent to Newgate the 27th of October.

Two days after, ſir William Waller, a magiſtrate of London, ſearching Cellier's houſe, found the plan of the pretended plot, writ very fair, in a paper book tied with ribbands, and hid in a meal tub, which gave it the name of the meal tub plot. Dangerfield perceiving himſelf ruined, if he perſiſted in a thing which he could not ſupport, applied himſelf to the lord mayor of London, and gave him in writing a large confeſſion upon oath, with a diſcovery of the perſons by whom he was employed. This confeſſion being tranſmitted to the council, ſeveral perſons were apprehended [l], and amongſt the reſt Roger Palmer earl of Caſtlemain. The lady Powis, accuſed by others beſides Dangerfield, of conſpiring the death of the king, was ſent to the Tower, and ordered to be proſecuted for high treaſon. This affair greatly contributed to the reſolution taken by the earl of Eſſex and the lord Halliſax,

It obtains the name of the meal tub plot.

Dangerfield diſcovers the fraud.

Echard.

[k] In Ax-yard, King's ſtreet, Weſtminſter. Dangerfield's narrative, p. 42.

[l] Particularly Mrs. Cellier, and Gadbury the aſtrologer.

1679. to retire from court, becauſe they obſerved, that though they were mentioned in the plot, they were left out of the ſecret examinations about it.

The death of Hobbes. The famous philoſopher Thomas Hobbes died this year, in the 91ſt year of his age. His writings are unhappily, but too well known, to need any farther notice [m].

1679-80. Affairs in the beginning of the year 1680, were in ſuch a ſituation, that the king had need of all his patience, and addreſs. There were viſibly two parties in the kingdom, that of the court, and that of the country. To the endeavours of the court to gain proſelytes, the country party oppoſed ſwarms of libels to inflame the people, by repreſenting the miſchiefs with which England was threatened, if the deſigns of the court and the papiſts were not prevented [n]. For no ſcruple was made of affirming in theſe libels, that the papiſts were countenanced by the court. The year forty one ſeemed to be returning, and it was even probable, that the contrary party to the king had no better intentions againſt him, than the enemies of Charles I. had in 1640. It was a melancholy thing to ſee the kingdom thus divided by the oppoſite intereſts of the king and the ſubject. But when it was known, that the king had reſolved to prorogue the parliament till November, not only anonymous libels were publiſhed, but petitions flowed from all parts, for the ſitting of the parliament the 26th of January, according to the laſt prorogation. The king received theſe petitions with great trouble, and failed not to return a diſobliging anſwer to thoſe who had the bold-

Libels againſt the court. Echard.

Addreſſes to the king for the meeting of the parliament. Kennet. Burnet. Echard.

[m] To be a little more large upon the character of this philoſopher. He was the ſon of a clergyman, born at Malmeſbury in Wiltſhire, and called from this place of his birth Malmſburienſis. He went out batchelor of arts at Magdalen hall in Oxford, and from thence was taken very young into the earl of Devonſhire's family. With the ſon of that nobleman he travelled into France and Italy, and made an acquaintance with Gaſſendus, and ſome of the greateſt men of the age. In his 63d year he ſettled in England for the remainder of his days, and in the healthful air of Chatſworth, in Derbyſhire, held it out to the 91ſt year of his age. The king having learned mathematics of him abroad, allowed him a penſion of one hundred pounds a year. His genius was vaſt and extenſive. But notwithſtanding his pretences to philoſophy and the mathematics, young Wallis of Oxford convinced the world, that his ſelf ſufficiency was much greater than his real abilities. He likewiſe aimed at a reputation in poetry, tranſlated Homer, and writ ſome other little things, which have only ranked him againſt our Ogilby's in this part of learning. He certainly writ Latin with great purity, and his verſion of Thucydides ſhews him a maſter of his own language. It is ſaid that his years improved his fears of death, and that he did not leave the world with the decency and reſignation of a philopher.——This year alſo died Matthew Poole, the compiler of the Synopſis Criticorum on the bible.

[n] Of the libels then publiſhed, that which made moſt noiſe, was an appeal from the country to the city.

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neſs to preſent them. Nay, he publiſhed ſeveral proclamations againſt theſe petitions, uſing the ſame reaſons that James I. and Charles I. had alledged on the like occaſions. He ſaid, "He was the head of the government, and the "only judge of what was fit to be done in ſuch caſes, and "that he would do what he thought moſt for the good of "himſelf and his people, deſiring they would not meddle "with a matter, that was ſo eſſential a part of his prerogative [o]." All this is very true in the ordinary courſe of the government. But when the people believe the ſovereign is uſing, to the deſtruction of the kingdom, a prerogative intended for their welfare, the bare allegation of the royal prerogative is not capable to ſatisfy them. Whatever colour is given to it, the Engliſh would never be convinced, that it ought to turn to their ruin. Accordingly, the proclamations were not able to put a ſtop to the petitions, as on the other hand, the petitions obliged not the king to alter his meaſures. 1679-80.

However, the king reſolved to meet the parliament the 26th of January, but it was only to tell both houſes, that the unſettled condition of the nation, rendered a long interval of the parliament abſolutely neceſſary, for compoſing and quieting of men's minds. That nevertheleſs he would only prorogue them to April, in order to meet them again in that month, if the condition of his allies abroad demanded their aſſiſtance. After this ſhort ſpeech, the chancellor, by the king's command, prorogued the parliament to the 15th of April. The parliament comes together and is farther prorogued. Echard.

Two days after, the king declared in council, "That "he had ſent for his royal highneſs, not having found "ſuch an effect from his abſence, as ſhould incline him "to keep him longer from him, when queſtions were "ſtarted of ſuch a nature, as made it treaſonable that he "ſhould be preſent at the next ſeſſion." Upon this invitation the duke of York appeared at court the 24th of February, where he was received with great pomp and ſatisfaction by the king his brother. The duke of York returns to court. Kennet, p. 367. Echard.

The duke's arrival, and the king's late firmneſs in proroguing the parliament, notwithſtanding the clamours of the malecontents, greatly encouraged the court party, ſo that multitudes of addreſſes were preſented to him, teſtifying an abhorrence of the liberty taken by ſome men to Two parties formed, called the addreſſers and the abhorrers. Kennet.

[o] Theſe words were not in the king's proclamations, but in his anſwers to the London and Wiltſhire petitions. Echard. Burnet.

1679-80. require him to hold the parliament [p], and in that from Norfolk he was thanked for recalling the duke of York. Though it is certain, the general ſenſe of the people for or againſt the court, is ſeldom to be known by theſe petitions, it is no leſs certain, they are, for the moſt part, the work of a few popular men, who by intrigue and cabal, procure ſubſcriptions to theſe addreſſes, from thoſe with whom they have intereſt, and who often ſign them without examining the contents. Accordingly theſe addreſſes are uſually not to be regarded, moſt of the ſubſcribers being ready to ſign the contrary, if they think it for their private advantage. They are however urged as a proof of the people's being of this or that ſentiment, though in the main, it is a very dubious proof. On the preſent occaſion, petitions had been preſented to the king for the ſitting of the parliament. As ſoon as the parliament was prorogued, and the duke of York at court, many addreſſes were preſented in abhorrence of the former, ſo that two parties were formed, called the petitioners and abhorrers; and as the animoſity between the two parties gradually increaſed, they beſtowed upon each other names of reproach, and from hence aroſe the ſo much famed diſtinction of whig and tory. The petitioners looking upon their adverſaries as entirely devoted to the court and the popiſh faction, gave them the name of tories, a title given to the Iriſh robbers, villains, and cut-throats, ſince called rapparees. Thus the name of tories, ſerves only now to diſtinguiſh one of the two factions which ſtill divide England. The abhorrers on their ſide, conſidering the petitioners, as men entirely in the principles of the parliament of 1640, and as preſbyterians, gave them the name of whig, or ſour milk, formerly appropriated to the Scotch preſbyterians, and rigid covenanters. Theſe two denominations are too well remembered at this time.

Riſe of whig and tory.

1680. The whigs were directed by the earl of Shafteſbury, who looking upon the duke of York not only as his own, but alſo as the mortal enemy of his party, believed there was no medium between periſhing, or ruining that prince. To this end, he had made it his buſineſs to extol the duke of Monmouth, and render him the darling of the people, imagining, that when he had the people on his ſide, the

A report ſpread of the duke of Monmouth's legitimacy. Sandford, p. 640. Kennet. Echard.

[p] The firſt addreſs of this ſort came from the city of Weſtminſter, and was preſented by Francis Withens, Eſq; who was knighted for it. Kennet p. 370.

ſupplanting

ſupplanting the duke of York would not be impracticable. With this view it was, at leaſt as it is pretended, that the earl of Shaftſbury found means to ſpread a rumour, that the king was lawfully married to Mrs. Walters, the duke of Monmouth's mother, and that the marriage contract was in a black box, in the cuſtody of ſir Gilbert Gerard. The king and the duke of York eaſily perceived the tendency of this rumour, and therefore omitted nothing to undeceive the people. To this end the king called an extraordinary council the 26th of April, in which he declared, "That the report "was altogether falſe, and that he thought himſelf obliged "in honour and conſcience to have the matter thoroughly "examined and ſearched into." Gerard appearing before the council, declared upon oath, "That he never had any "ſuch writing, as was reported, committed to his charge, "nor did he ever ſee or know of ſuch writing." In ſhort, after many fruitleſs enquiries after the author of the report, the king was forced to content himſelf with publiſhing, the 3d of June, a declaration, to confirm one made January the 6th, and another made March the 3d, which was entered in the council-books, and ſigned by ſixteen privy councellors, wherein he ſaid, "That to avoid any diſpute which might "happen in time to come, concerning the ſucceſſion to the "crown, he did declare in the preſence of Almighty God, "that he never gave, nor made any contract of marriage, "nor was married to Mrs. Barlow, alias Walters, the duke "of Monmouth's mother, nor to any other woman what-"ſoever, but to his preſent wife queen Katherine, then "living [q].

1680.

Silenced by the king. Sandford. Echard.

This ſummer were ſeveral proſecutions and trials, and the 23d of June, Roger Palmer earl of Caſtlemain, a papiſt, huſband to Barbara Villiers ducheſs of Cleveland, the king's miſtreſs, was brought to his trial and acquitted. Cellier the midwife, who had aſſiſted the lady Powis in the ſham plot, was likewiſe acquitted. Shortly after, ſhe publiſhed a narrative of her trial, with ſevere reflections upon ſome perſons, then in credit, for which ſhe was tried a ſecond time, and ſentenced to ſtand three times in the pillory, and pay a thouſand pounds fine. The grand jury found not the bill againſt the counteſs of Powis. Thus

The accomplices of the meal tub plot acquitted. State trial., t. III.

[q] Kennet ſays that the late maſter of the Charter houſe, who was long in the ſervice of king Charles II. abroad, and had the care of mrs. Barlow, and buried her at Paris; ſaid poſitively, the king had never any intention to marry her, and that indeed ſhe did not deſerve it, being a very ill woman, p. 366. Note b.

1680. all the perſons concerned in the meal tub plot were acquitted. The torrent did not then run in favour of the party againſt the court.

Bedloe dies. Richard. Bedloe, the famous witneſs of the popiſh plot, died at Briſtol the 20th of Auguſt. Three or four days before his death, the lord chief juſtice North then in his circuit, viſiting him, Bedloe in his preſence ſigned the following depoſition.

His depoſition before the lord chief juſtice North, on his death-bed. "That the duke of York hath been ſo far engaged in "the plot, as he hath ſeen by letters in cardinal Barbari-"ni's ſecretary's ſtudy, that no part that hath been proved "againſt any man already, that hath ſuffered, but that to "the full thoſe letters have made him guilty of it; all but "what tended to the king's death. And at Rome I aſked "father Anderton and father Lodge, two jeſuits, what would "the duke do with his brother when he was king? And "they anſwered me, they would find a means for that; "they would give him no trouble about it. Then I told "them, I believed the duke loved his brother ſo well, he "would ſuffer no violence to be done to him. They ſaid, "no: if the duke could be brought to that, as he had been "religiouſly to every thing elſe, they might do their work; "their other buſineſs was ready, and they might do it pre-"ſently. But they knew they could not bring him to that "point; but they would take care for that themſelves: they "had not begun with him to leave him in ſuch ſcruples as "that. But they would ſet him into his throne; and there "he ſhould reign blindfold three or four days; for they had "ſettled ſome they ſhould pitch the action upon, ſhould clear "their party. And then he ſhould fly upon them with the "ſword of revenge.

And this examinant doth further add, "That the queen "is not, to this examinant's knowledge, nor by any thing "he could ever find out, any way concerned in the mur-"der of the king; but barely, by her letters, conſenting "and promiſing to contribute what money ſhe could to the "introducing the catholick religion. Nay, it was a great "while, and it made her weep, before ſhe could be brought "to that."

He alſo declared to the lord chief juſtice, "That he look-"ed upon himſelf as a dying man, and found within him-"ſelf, that he could not laſt long, but muſt ſhortly appear "before the Lord of hoſts, to give an account of all his "actions. And becauſe many perſons had made it their "buſineſs to baffle and deride the plot, he did, for the ſa-

"tisfaction

" tisfaction of the world there declare, upon the faith of a 1680.
" dying man, as he hoped for ſalvation. That whatever
" he had teſtified concerning the plot was true: and that
" he had wronged no man by his teſtimony, but had teſti-
" fied rather under than over what was truth;———and,
" that he had other things to diſcover, which were of great
" importance to the king and the country, with other mat-
" ters of the like nature." In concluſion, his lordſhip was " deſired to repreſent to his majeſty his condition,
" and that his ſickneſs was very chargeable, and move his
" majeſty in his behalf for ſome ſupply of money for his
" ſubſiſtence."

This depoſition deſerves ſome remarks. The firſt, that it comes from a dying man, and who indeed died three days after. If the proteſtations of thoſe who had been condemned, either for the plot, or Godfrey's murder, may form a preſumption in their favour, I do not ſee why this of dying Bedloe ſhould not form the like, unleſs the point in queſtion is taken for granted, namely, that the condemned perſons were innocent, and Bedloe a villain for ſwearing againſt them. 2. Bedloe diſtinguiſhes perfectly the ſeveral articles of the plot, in that he accuſes the duke of York of being engaged in the plot, but acquits him from deſigning the king's murder. Now the plot, with regard to the government and religion, is ſo evident, and the part the duke of York had in it ſo clear from Coleman's letters, that nothing can better agree with Bedloe's depoſition. Thirdly, it is really improbable, that two jeſuits at Rome, directors of ſo important an affair, ſhould ſpeak ſo openly to Bedloe. But on the other hand, the manner of the king's death three or four years after Bedloe's, gives but too juſt cauſe to ſuſpect, there was foul play, and cauſes this improbability to vaniſh in part. Laſtly, Bedloe declared in his depoſition, " That whatever he had teſtified concerning the plot was
" true," and this laſt depoſition, far from giving room to ſuſpect it of falſhood, may rather create a belief, that it was not an invention, ſince, being ſo near death, he could have no inducement to acquit the duke of York upon one article, and accuſe him upon others, or even to trouble the chief juſtice with any depoſition at all. Remarks upon this depoſition.

This depoſition a little perplexes a famous hiſtorian, who in this part of his hiſtory undertakes to prove the plot to be a fiction. To free himſelf from this difficulty, he ſcruples not to oppoſe his own authority to Bedloe's depoſition. " We know not, ſays he, how to ſpeak ſoftly of Echard, III. p. 577.

1680. "the dying words of one hardened by many years villa-
"nies; but muſt expreſly declare, that as to his publick
"oaths he did not only ſwear to the moſt ſhocking im-
"probabilities, but ſometimes changed, and other times
"contradicted his own evidence." After this authority no man, doubtleſs, will regard this laſt depoſition of Bedloe, otherwiſe than as a continuation of the crimes he had been guilty of, in falſly ſwearing there was a plot, when in reality there was none.

Two preſbyterian ſheriffs elected. Burnet, p. 479. Echard.

The city of London was then in the country party, which gave it great reputation. The choice, on Midſummer day, for ſheriffs, fell upon two famous preſbyterians, by a majority of voices, both accounted fanaticks by the contrary party [r]. Theſe were Slingſby Bethel, and Henry Corniſh, who took care to qualify themſelves by receiving the ſacrament in the church of England, abjuring the covenant, and doing every thing as appointed by act of parliament. While this election was depending, it was pretended, that Bethel's party had committed ſome violence againſt the other, which obliged the king to order a commiſſion of oyer and terminer to be iſſued out for the trial of the riot. Mean while, the two ſheriffs contrary to the king being choſen, Thomas Papillon, eſq; preſented an addreſs to the lord mayor, in the name of the city, wherein, after diſowning all tumultuous and diſorderly proceedings, and teſtifying an inviolable fidelity to the king, they deſired his lordſhip, "That he would, in their names, humbly beſeech "his majeſty, that the parliament might ſpeedily aſſemble." Whether the addreſs produced any effect, or the king had already taken his reſolution, a few days after, it was made known by a publick proclamation, that the parliament ſhould ſit on the 21ſt of October.

The lord mayor addreſſed to petition the king for the ſitting of the parliament.

The duke of Monmouth returns, and takes no notice of the court. Temple. Echard. Burnet. p. 477.

While the time of the meeting of the parliament was yet remote and uncertain, the court party had ſome advantage, but, as it approached, the country party gained the ſuperiority. The duke of Monmouth was returned from Holland without leave [s], and inſtead of going to court, made ſeveral progreſſes in the kingdom to encourage his friends, and increaſe their number. This party were reſolved to run

The duke of York preſented as a papiſt.

[r] The court was very jealous of this election, and underſtood it to be done on deſign to pack juries. Burnet, p. 481.

[s] He begged the king's leave to return; but when he ſaw no hope of obtaining it, he came over without leave. The king upon that would not ſee him, and required him to go back. But the earl of Shaftſbury adviſed him to make the progreſſes here mentioned. Burnet, p. 477.

all

all hazards, and ruin themſelves or the duke of York, the next ſeſſion of parliament. To this end, the earl of Shaftsbury, attended by twelve lords and gentlemen of note, went publickly to Weſtminſter-hall, and at the king's bench bar, by a bill in form, preſented the duke of York as a popiſh recuſant [t]. The thing was but too true, and the whole kingdom was ſenſible of it. But till this time no man had dared to take ſuch a ſtep, which was conſidered as a formal deſign to break all meaſures with the duke. This action ſo ſurprized the three principal miniſters, that they concluded the contrary party muſt neceſſarily be aſſured beforehand of the reſolutions of the parliament. Wherefore, to ingratiate the king with the parliament, they adviſed him to ſend the duke of York into Scotland, believing it would not be in his power to ſupport him, if he left him in England, during the ſeſſion of the parliament. The king approving their reaſons, obliged the duke to return to Scotland, after repeated aſſurances, that he would never forſake him. So the duke departed the day before the meeting of the parliament, to the great ſatisfaction of his enemies, who hoped to ruin him more eaſily in his abſence. 1680. The king ſends away the duke of York. Burnet, p. 481. Echard.

At laſt, the parliament met the 21ſt of October, as the king had promiſed in his proclamation. In his ſpeech at the opening, he acquainted both houſes, "That he had "made and perfected an alliance with the crown of Spain, "ſuitable to that which he had before with the ſtates of "the United Provinces, conſiſting of mutual obligations of "ſuccour and defence. He aſſured them, that nothing "ſhould be wanting on his part to give them the fulleſt "ſatisfaction their hearts could wiſh, for the ſecurity of the "proteſtant religion, conſiſtent with preſerving the ſucceſſion of the crown in its due and legal courſe of deſcent. In order to this, he recommended to them to "purſue the further examination of the plot, with a ſtrict "and impartial enquiry; neither thinking himſelf nor them "ſafe till that matter was gone through with, and therefore it would be neceſſary that the lords in the Tower "ſhould be brought to their ſpeedy trial, that juſtice might "be done.———He told them, it would be impoſſible Kennet, p. 371. Echard.

[t] They that atteſted the bill were the earls of Huntington and Shaftſbury; the lords Grey of Werk, Brandon Gerard, Ruſſel and Cavendiſh; ſir Gilbert Gerard, ſir Edward Hungerford, ſir Scroop How, ſir William Cooper, ſir Thomas Wharton, John Trenchard, Thomas Thynne, and William Forreſter, eſquires. By the ſudden diſmiſſion of the grand jury, the matter had no conſequence in the forms of the court. Echard, t. III. p. 579.

"without

1680. "without their ſupport to preſerve Tangier, and there-
"fore deſired their advice and aſſiſtance.———In concluſi-
"on, he recommended to them a perfect union with him-
"ſelf, and one another, as the only thing which could re-
"ſtore the kingdom to its antient ſtrength and vigour, and
"raiſe it up again to that conſideration which England had
"uſually had."

During this whole reign, the king's religion was ſo great a ſecret, that very few were acquainted with it. And therefore the king more boldly proteſted his zeal for the proteſtant religion, and on all occaſions declared, he would maintain it againſt the attempts of the papiſts. Theſe proteſtations might then have ſome effect, ſince it is very natural for a king to favour his own religion. But ſince it has been certainly known, that Charles II. was a papiſt, had abjured the proteſtant religion before his reſtoration; and profeſſed, though ſecretly, the popiſh religion, theſe ſo ſolemn and ſo frequent proteſtations muſt be thought very ſtrange, being intended only to deceive his ſubjects.

The commons expel the abhorrers, and petition againſt Jefferies. Kennet, p. 477. Echard. Burnet, p. 484.

After the ſpeaker [u] was choſen, and approved by the king, the houſe of commons immediately diſcovered what was to be expected from them, by expelling ſome of their members, for having been abhorrers. But not content with puniſhing their own members, they ordered an addreſs to be preſented to the king, to remove from all publick offices ſir George Jefferies, ſerjeant at law, recorder of London, and chief juſtice of Cheſter, as guilty of the ſame crime, and a betrayer of the rights of the ſubject.

Narrat.

As this was a new parliament, and as the affair of the plot was to be reſumed at the king's own deſire, the witneſſes who had already depoſed, laid before the houſe their informations, and were joined by Dangerfield, Jenniſon, Dugdale, and one Turberville, a new evidence. Some likewiſe came from Ireland. Upon a report made to the houſe, that dr. Tonge, who had firſt diſcovered the plot to the king, had received no gratuity, he was now recommended to his majeſty for the firſt good eccleſiaſtical preferment that fell in his gift. But the doctor was diſappointed of the benefit of this recommendation, by leaving the world not long after. The king on this occaſion diſcovered no leſs zeal than the commons, and iſſued out a proclamation, with a promiſe of his pardon to any perſon who ſhould, within two months, give farther information

The commons reſume the examination of the plot. Echard.

The king's diſſimulation.

[u] William Williams, eſq; of Gray's-Inn.

and

and evidence concerning the horrid and execrable popiſh plot. 1680.

But this diſſimulation was not capable of deceiving the commons. Five days after the opening of the parliament, the 26th of October, the lord Ruſſel moved, "That they "might in the firſt place take into conſideration how to ſup- "preſs popery, and prevent a popiſh ſucceſſor." He was ſeconded by ſir Henry Capel, brother to the earl of Eſſex, who, in a long ſpeech, related what had been done to the prejudice of the kingdom during the preſent reign. He aſcribed the whole to popiſh counſels. He ſpoke of the firſt Dutch war; of the diviſion of the fleet; of the affair of Chatham; of the fire of London; of the diſcharge of the priſoners concerned in that wicked act, without trial; of the violation of the triple league; of the ſeizing the Dutch Smyrna fleet before war was proclaimed; of the ſecond Dutch war; of the permiſſion to the Iriſh papiſts to wear arms; of the alteration of the government of Scotland, by lodging it in a commiſſioner and a council, beſides an army of twenty thouſand men. He ſaid, the papiſts were emboldened to act any thing, by the hopes of having the duke of York for king: that they were moreover encouraged by the French ambaſſador, who by his frequency at court, ſeemed to be rather one of the family, and of the king's houſhold, than a foreign ambaſſador; and by his free recourſe to his majeſty, rather a prime miniſter of ſtate of this kingdom, than a counſellor to another prince: that ſince all theſe irregularities and enormities proceeded from the popiſh party, ſupported by the duke of York, it was high time to think of ſome effectual expedient to prevent popery and a popiſh ſucceſſor.

The commons reſume the excluſion bill. Debates about the excluſion, p. 1, &c. Kennet. Echard. Burnet.

Several other members ſpoke to the ſame effect, ſome more, ſome leſs; and no man offered to vindicate the duke, or ſpeak in his behalf, till the houſe came to the two following reſolves, upon the 2d of November.

"1. That the duke of York's being a papiſt, and the "hopes of his coming ſuch to the crown, hath given the "greateſt countenance and encouragement to the preſent "deſigns and conſpiracies againſt the king and the proteſtant "religion.

Votes of the commons for the excluſion of the duke of York. Debates, &c. p. 24.

"2. That in defence of the king's perſon and govern- "ment, and proteſtant religion, this houſe doth declare, "that they will ſtand by his majeſty with their lives and "fortunes, and that if his majeſty ſhould come to any vio-

"lent

1680. "lent death, which God forbid, they will revenge it to the "utmoſt of their power on the papiſts."

Speeches for and againſt it.

Upon theſe two votes, the lord Ruſſel moved for a committee to bring in a bill to diſable the duke of York from inheriting the crown. This affair was now debated with great ſpirit in ſeveral eloquent ſpeeches on both ſides the queſtion. The ſubſtance of what was urged for the bill was, that the evils which the kingdom had felt, and ſtill laboured under, proceeded from popiſh counſels, begun and headed by the duke of York. That the danger muſt be extreme, ſhould he ever enjoy the crown. That it might be read in ſcripture, "That one man ought to die for a nation, but "not that three nations ſhould die for one man." The oppoſers of the bill offered not to ſhew there was no danger in a popiſh king. This they were willing to ſuppoſe, but pretended that there were other expedients to prevent this danger than that of excluſion. That beſides, it could not be expected that the duke of York, and many others would ſubmit to this law, the conſequence whereof would be a civil war, in which the duke of York would be ſupported by all the princes of Europe.

To this objection it was anſwered, that no expedient could be thought of to ſecure the proteſtant religion under a popiſh prince, who would have a popiſh council, popiſh judges, popiſh magiſtrates, and deputy lieutenants, popiſh commanders at ſea and land, nay, and popiſh biſhops too. That the excluding the duke from the ſucceſſion, was no depriving him of his right to the crown, of which he had rendered himſelf incapable, by embracing a religion contrary to that of the kingdom. For a popiſh king and proteſtant ſubjects were irreconcileable.

The others replied, there was no law which, for a difference of opinion in religion, deprived any man of his right.

In concluſion, it was reſolved, "That a bill be brought "in to diſable the duke of York to inherit the imperial "crown of this realm.

The excluſion bill read.

Hitherto the court party had only ſkirmiſhed, as I may ſay, in hopes that an engagement might be avoided. But when this vote had paſſed, and the bill was read the firſt time, ſir Leoline Jenkins, ſecretary of ſtate, ſtood up and argued directly againſt it, by alledging:

Secretary Jenkins ſupports the intereſts of the duke of York. Debates, &c. p. 51.

"1. That it was contrary to natural juſtice, to con-"demn any man before the conviction, or the hearing of "him.

"2. It

" 2. It was contrary to the principles of our religion, to 1680
" diſpoſſeſs a man of his right, becauſe he differs in point of
" faith.

" 3. He was of opinion, that the kings of England had
" their right from God alone, and that no power on earth
" could deprive them of it.

" 4. It was againſt the oath of allegiance, taken in its
" own ſenſe, without jeſuitical evaſions; which binding all
" perſons to the king, his heirs, and ſucceſſors, the duke,
" as preſumptive heir, muſt be underſtood."

The advocates for the bill anſwered to the firſt objection; His reaſons anſwered. that not only the duke of York's intereſts were concerned, but thoſe of the whole kingdom; and that if the duke of York had withdrawn at the time the parliament was going to meet, his abſence ought not to prevent their providing for the good of the kingdom. To the ſecond objection it was anſwered, that in eſtabliſhing for principle, that difference of opinion in religion ought to be no cauſe for diſpoſſeſſing any man of his right, all the acts of parliament made ſince the reformation againſt papiſts and ſectaries were condemned, who, as ſubjects, had rights in common with the reſt, of which nevertheleſs it was thought expedient to deprive them, on account of the dangers to which the kingdom would be expoſed, if they were left in the enjoyment of them. That this was a maxim generally received in all ſtates, proteſtant or popiſh. That it was very true, the ſubjects of a different religion might be injured by being deprived of their rights; but that this injury proceeded not from the government's having no right to take this precaution, but from taking it unſeaſonably and groundleſly, thro' prejudice, pride, paſſion, revenge and hatred. To the third objection it was anſwered, That allowing the principle, that the kings of England had their right from God alone, it ſhould at leaſt have been ſpecified wherein conſiſted that right, and it would never be proved, that the kings of England were inveſted with power from God, to alter the conſtitution, or introduce a new religion at pleaſure. But, if by this right was underſtood only that of the ſucceſſion, the principle was falſe, as might be proved by many inſtances in the Engliſh ſucceſſion; for all the kings and queens ſince Henry VII. mounted the throne by virtue of an act of parliament, which had ſettled the ſucceſſion upon the poſterity of that prince, and had ſince been confirmed by others. It was replied to the fourth objection, that the oath of allegiance, which bound the ſubject to the king's heirs and ſucceſſors,

was

1680. was to be underſtood, when thoſe heirs and ſucceſſors were on the throne, and not while they were yet ſubjects. But ſuppoſing even the oath to be meant of an engagement to acknowledge for king the next heir, it certainly became void, if that heir rendered himſelf incapable of ſucceeding by his ill conduct. That the laws which impoſed oaths had always in view a certain conſtitution of government, which they ſuppoſed conſtant and unalterable, becauſe all caſes that might happen could not be foreſeen. But that it could not be denied, there were poſſible caſes in which theſe oaths would become entirely null; as for example, if the preſumptive heir ſhould declare openly againſt the conſtitution of the ſtate, and clearly diſcover, that he intended to alter it when on the throne. And if in that caſe it was pretended, the ſubject was ſtill bound by his oath of allegiance to this ſucceſſor, the plain meaning of the oath would be, that the ſubjects bound themſelves to ſlavery, whenever the prince ſhould think fit to impoſe it, which was abſurd. In fine, that the parliament was the ſole judge of ſuch caſes.

Several other reaſons alledged for the bill.

But the advocates for the bill, not contented with replying to Jenkins's objections, added likewiſe other reaſons to demonſtrate the legality, the expedience, the neceſſity, of the excluſion of the duke of York. They proved the firſt point by precedents taken from the hiſtory of England, by which they demonſtrated, that, on ſeveral occaſions, the parliament had really diſpoſed of the crown in a different manner from the uſual cuſtom. Edward III. was acknowledged king in his father's life time, and Henry IV. while Richard II. was ſtill living. The parliament moreover granted the crown to Henry IV. and ſettled the ſucceſſion in his poſterity, contrary to the known and natural right of the earl of March, who was next heir to Richard II. Then they ſettled the crown upon the duke of York, and his poſterity, after the death of Henry VI. though Henry had a legitimate ſon living. After the houſe of York had enjoyed the crown for three ſucceſſive reigns, though that houſe had a numerous iſſue, the parliament tranſferred the crown to Henry VII. and his poſterity. They gave a power to Henry VIII. to name his ſucceſſors, and ſettle the ſucceſſion as he ſhould think proper. Laſtly, on the ſucceſſion of James I. to the crown, though no act was demanded by him to confirm his right, the parliament however made one, in order not to loſe their own. As to the objection, that theſe princes were poſſeſſed of the crown when theſe acts were made, it ought to be obſerved, that though they had the power in their hands, and were in poſſeſſion,

poſſeſſion, they thought fit to demand the parliament's con- 1680.
firmation, as a thing abſolutely neceſſary to juſtify their
right. In fine, it was impoſſible for the parliament, conſi-
dered as conſiſting of king, lords, and commons, to act any
thing contrary to the laws, ſince their power of repealing
old, and enacting new, laws, could not be diſputed. That
the ſupreme and abſolute authority reſides in the parliament
compoſed of king and both houſes. For what is the parlia-
ment but a body conſiſting of all the members of the ſtate,
to which no power on earth hath a right to preſcribe? To
ſay therefore, that the parliament can act unjuſtly againſt the
laws, is to ſay, that all the members of the ſame body may
act unjuſtly to themſelves, and be reſponſible for this injuſtice,
which is an abſurdity not to be defended.

As to the fitneſs and benefit of the bill, it was not neceſ-
ſary to uſe many arguments to ſhow, that it was expedient
and fit, that the government and religion ſhould be ſecured,
and the people delivered from their fears and ſuſpicions. It
could not even be denied, that the excluſion of the duke of
York would be attended with theſe advantages. But as it
could not be ſuppoſed, that the duke of York and his adhe-
rents, would ſubmit to the bill, which might occaſion a civil
war, wherein the duke might be ſupported by foreign aid, to
this objection it was anſwered, that it was better to hazard
ſuch a war, than be expoſed to a more certain danger,
namely, of ſeeing the laws and religion invaded by a popiſh
prince.

But it was principally to demonſtrate the neceſſity of the
excluſion bill, that the advocates for it diſplayed all their wit
and eloquence. They maintained, that all precautions to li-
mit the power of a popiſh prince, would be fruitleſs, becauſe
his promiſes and oaths could not be relied on, from which
the pope, though a motive of religion, could abſolve him.
That before the reformation, the reign of Henry VII. fur-
niſhed very remarkable inſtances, and it did not appear, that
popes, ſince the reformation, had relinquiſhed their princi-
ples. That beſides, the duke of York's zeal for his religion
and his principles concerning the government were well
known, ſince the letters of his ſecretary and his intimate
union with France had clearly ſhown, he was not only diſ-
poſed to undertake any thing to ſupport the intereſts of his
religion, but had even, for that end, engaged in meaſures
very prejudicial to the ſtate. That it was to popiſh councils
and to the duke in particular, that the two Dutch wars, ſo
contrary to the intereſts of England, were to be aſcribed.

1680. That to him were owing the non-execution of the laws made againſt popiſh recuſants, the pernicious deſigns of the cabal, and that Coleman's letters made it as clear as the ſun, that he was the chief author of the frequent adjournments and prorogations of the parliament, at the very time they were employed in ſeeking expedients to ſave Europe, and the proteſtant religion from certain ruin. Other arguments were alſo alledged to prove, that all the precautions which could be taken, would be to no purpoſe, when the duke ſhould be on the throne. Firſt, it was ſaid, that his union with France would ſupply him with money, without his being obliged to apply to the parliament. That he might thereby maintain what forces he pleaſed, and having an army at his command, would be maſter of the kingdom, and free to perform or not perform the conditions on which he ſhould be raiſed to the throne. That with this army he might influence the elections, and procure ſuch a parliament as would ſubvert all poſſible precautions. That there was too much reaſon to believe, that the late army had been raiſed with this deſign, ſince, being certain, that it was not intended againſt France, it could only be deſigned againſt the ſubjects. Nay, it was likely, this was the intent of the expedient propoſed, that when the king ſhould happen to die, the parliament then in being, or the laſt that was in being, ſhould aſſemble and ſit a competent time, without any new ſummons or elections, ſo that after the expiration of this competent time, the kingdom would fall into the inconvenience juſt mentioned. That if the tranſactions ſince the king's reſtoration were conſidered, it would be found, that nothing had been done with relation to the government, but what tended to ſubvert it and introduce popery. That the duke of York's influence in the king's counſels was well known: That tho' he was abſent, his adherents and creatures enjoyed the principal places in the court and kingdom, and that from him proceeded all the evils wherewith England was afflicted, and all the dangers the nation had to fear. That if after ſo manifeſt a diſcovery of his deſigns, after the laſt teſtimony of Bedloe on his death-bed, after all the evidence of an execrable plot againſt the ſtate and religion, the duke's ſincerity and flattering promiſes were to be truſted, the conſequence would be a too late and fruitleſs repentance. From theſe reaſons, and many others, it was inferred, that the excluſion bill was abſolutely neceſſary, and that the people juſtly expected from their repreſentatives this extraordinary precaution, to free them from their fears.

The

The court party were extremely embarraſſed. There were facts alledged againſt the duke which could not be anſwered, and there were others which they durſt not directly deny, for fear of farther diſputes, at a time when the torrent ran ſo high againſt the duke. Nay, very few ventured to appear openly for him. Amongſt theſe were ſir Leoline Jenkins ſecretary of ſtate, mr. Hyde a privy counſellor, and one of the three who then managed the duke's affairs, mr Seymour, and one more. Sir Leoline Jenkins deſired the houſe to conſider, "That the duke of York was the king's "brother, and ſon of Charles I. for whoſe memory the "nation had a great veneration: that the duke was enriched "with excellent endowments, which he had employed in the "ſervice of the nation, by fighting their battles, and de-"fending them from the oppreſſion of their enemies, and "was only guilty of this one crime, which he hoped, upon "a mature deliberation, would not deſerve ſo great a con-"demnation.——He remembered them, that there were "laws already for the puniſhment of the crimes he was ac-"cuſed of, and therefore humbly conceived, they ought "not to chaſtiſe him, by making a new law before any "hearing." Mr. Hyde added—— "I do not know that "any of the king's murderers were condemned without be-"ing heard; and muſt we deal thus with the brother of our "king?——It would conſiſt much better with the juſtice of "the houſe, to impeach him, and try him, in a formal "way, and then cut off his head, if he deſerve it. I will "not, continued he, diſpute the power of parliaments; but "I queſtion whether this law, if made, would be good in "itſelf.——For ought I know, when you have made "this law, it may have a flaw in it; if not, I am confi-"dent there are a loyal party, which will never obey, but "will think themſelves bound by their oath of allegiance and "duty, to pay obedience to the duke, if ever he ſhould "come to be king, which muſt occaſion a civil war."——

1680.

Reaſons alledged againſt the bill.

Debates, &c. p. 87.

Ibid. p. 92.

In the courſe of the debates on the bill, ſir Francis Winnington alledged, "That an act of the thirteenth of Eliza-"beth made it treaſon for any man to ſay, that the parlia-"ment could not alter the ſucceſſion." To which mr. Finch replied, "I will not ſay that acts of parliament cannot diſpoſe "of the ſucceſſion, becauſe it was made treaſon by a ſtatute "in the 13th of Elizabeth. But I will deny that the kings "of England rule by virtue of any ſtatute law, as was ſug-"geſted; for their right is by ſo antient a preſcription, as

Ibid. p. 98.

p. 103.

1680. " that it may juſtly be ſaid to be from God alone, and that " no power on earth ought to diſpute it."

Different opinions of the power which the parliament has in relation to the ſucceſſion of the crown.

Though this queſtion was only accidentally raiſed and carried no farther, I think it ought not to paſs unregarded, becauſe it ſerves to diſcover the two opinions among the Engliſh, concerning the ſucceſſion. Some believe, that in extraordinary caſes the parliament has power to diſpoſe of the ſucceſſion, becauſe the parliament is ſuppoſed to include the whole nation, from the king to the meaneſt ſubject, and it is abſurd to diſpute the power of the whole nation united in one body, to order what is for their well being. Others maintain, that the ſucceſſion is unalterable, and admits not of any change, either by the nation in a body, or by the parliament. That if this is done, it is unjuſtly, and the parties concerned are not obliged to ſubmit to the parliament's deciſions. That ſuch changes were never made without cauſing troubles and civil wars in the kingdom; becauſe, as it is not in the power of the king to deprive the nation or the parliament of their rights, ſo neither is it in the power of the parliament to deprive the next heir of the ſucceſſion to which he is intitled by nature and birth. This queſtion has never been unanimouſly decided, but each party maintain their opinion, and determine according to the ſtrength of their reaſons. In all appearance, this diſpute will be ſtill long continued.

The commons paſs the excluſion bill. Debates, &c. p. 83.

At laſt, after ſeveral days debates, the excluſion bill paſſed the houſe by a great majority. This bill was much the ſame with the other brought in during the laſt parliament, only it had this additional clauſe, " That, during the life " of James duke of York, the act ſhould be given in " charge at every aſſizes and general ſeſſions, and read " openly in every cathedral, pariſh-church and chapel, twice " every year immediately after divine ſervice, that is to ſay, " on the 25th of December, and upon Eaſter day."

A meſſage from the king. Nov. 10. Debates, &c. p. 69.

While the commons were proceeding on this bill, the king endeavoured to interrupt their debates by two meſſages. By the firſt he deſired them to expedite ſuch matters as were depending before them, relating to popery and the plot; aſſuring them, that all remedies they could tender to him, conducing to theſe ends, ſhould be very acceptable to him, provided they were ſuch as might conſiſt with preſerving the ſucceſſion of the crown in the legal courſe of deſcent.

An addreſs from the commons. Nov. 11. Ibid. p. 79.

Upon this meſſage an addreſs was preſented to the king by the houſe, in which they ſaid, " That though the time of " their ſitting had not much exceeded a fortnight, yet they " had

" had in that time not only made a conſiderable progreſs in 1680.
" ſome things abſolutely neceſſary for the ſafety of his ma-
" jeſty's perſon, the effectual ſuppreſſion of popery, and the
" ſecurity of the religion, lives, and eſtates, of his majeſ-
" ty's proteſtant ſubjects; but even in relation to the trials
" of the five lords impeached in parliament, they had ſo far
" proceeded, as they ſhould in a ſhort time be ready for the
" ſame. But they could not (without being unfaithful to
" his majeſty and their country) omit humbly to inform his
" majeſty, that their difficulties, even as to thoſe trials,
" were much increaſed, by the evil and deſtructive counſels
" of thoſe perſons who adviſed his majeſty, firſt to the pro-
" rogation, and then to the diſſolution of the laſt parlia-
" ment, at a time when the commons were prepared for
" thoſe trials; as likewiſe by the many and long prorога-
" tions of the preſent parliament, before the ſame was per-
" mitted to ſit. That a principal evidence was unfortu-
" nately dead, between the calling and the ſitting of the
" parliament. That others had been taken off, or diſcou-
" raged from giving their evidence. To prevent the like
" inconveniencies for the future, they made it their humble
" requeſt to his majeſty, that he would not ſuffer himſelf to
" be prevailed upon by the like counſels, to do any thing
" which might occaſion either the deferring a full diſcovery
" of the plot, or the preventing the conſpirators from be-
" ing brought to ſpeedy and exemplary juſtice and puniſh-
" ment."——

The king's other meſſage was concerning Tangier, to recommend to the commons the preſervation of that place. But the houſe not being diſpoſed to content the king, inſtead of offering him money for the relief of Tangier, beſieged by the king of Morocco, took occaſion from the meſſage to conſider ſome of the court's proceedings in this reign. It was argued, " That they were indeed afraid of Tangier, " but more afraid of a popiſh ſucceſſor:——they were un-
" willing to give any money, becauſe they remembered,
" when eleven hundred thouſand pounds was given for the
" building of ſhips, not one ſhip was built; and above two
" millions given to ſupport the triple league, when it was
" ſoon employed for the breaking of it; and twelve hun-
" dred thouſand pounds given for a war with France,
" when at the ſame time we were under private obligations
" for peace." Theſe were facts to which the friends of the court had nothing to reply, becauſe they were publickly known. They contented themſelves with demonſtrating the

The king's meſſage to the houſe in relation to Tangier. Nov. 17. Debates, &c. p. 106, 115, 117. p. 120.

1680. importance of Tangier to the Levant trade, and repreſenting, that the two millions expended on the Mole would be entirely loſt. In ſhort, as the commons had always in mind the excluſion bill, they took occaſion from this meſſage to preſent to the king a long addreſs, or rather remonſtrance, ſetting forth, in eighteen articles, the dangerous ſtate of the kingdom, with regard to popery. But it was not ſo much to acquaint the king with theſe dangers, as to repreſent them to the people, that they might think the excluſion bill leſs ſtrange. The ſubſtance of theſe eighteen articles was as follows:

Nov. 29. bid. p. 149.

" 1. That Tangier had been ſeveral times under the command of popiſh governors; that the ſupplies ſent thither, had been in great part made up of popiſh officers and ſoldiers, and that the Iriſh papiſts had been moſt countenanced and encouraged.

" 2. That here at home the endeavours and attempts of the popiſh party had been ſo bold and ſucceſsful, that it was a matter of admiration to them, and which they could only aſcribe to an over-ruling providence, that his majeſty's reign was ſtill continued over them, and that they were yet aſſembled to conſult the means of their preſervation.

" 3. That this bloody and reſtleſs party had found countenance and protection from the laws made againſt them: That they had found means to diſgrace their oppoſers; and if they were judges, juſtices of the peace, or other magiſtrates, to have them turned out of commiſſion: ſo that after ſome time, they became able to influence matters of ſtate and government; and thereby to deſtroy thoſe that they could not corrupt.

" 4. The continuance and prorogation of parliaments, had been accommodated to ſerve the purpoſes of that party.

" 5. Money raiſed upon the people to ſupply his majeſty's extraordinary occaſions, had, by the prevalence of popiſh counſels, been employed to make war upon a proteſtant ſtate, and to advance and augment the dreadful power of the French king.

" 6. That great numbers of his majeſty's ſubjects were ſent into, and continued in the ſervice of that king: and even the miniſters of England were made inſtruments, to preſs the ſtates of Holland to accept of a demand from the French king, of admitting the publick exerciſe of the Roman catholick religion.

" 7. That

" 7. That if ever any command were given for thoſe laws 1680.
" to be put in execution againſt papiſts, even from thence
" they gained advantage to their party, while the edge of
" thoſe laws was turned againſt proteſtant diſſenters, and the
" papiſts eſcaped in a manner untouched.

" 8. That the teſt act had little effect; for the papiſts,
" either by dipenſations obtained from Rome, ſubmitted to
" thoſe teſts, and held their offices themſelves; or thoſe put
" in their places were ſo favourable to their intereſts, that
" popery itſelf had rather gained than loſt ground ſince that
" act.

" 9. That a popiſh ſecretary, ſince executed for his trea-
" ſons, had maintained a correſpondence at Rome, and in
" the courts of other foreign princes, for the ſubduing (to
" uſe their own words) that peſtilent hereſy which had ſo
" long domineered over this northern world.

" 10. That out of theſe counſels and correſpondencies,
" was hatched that damnable and helliſh plot, by the
" good providence of God brought to light about two years
" ſince.

" 11. That when this accurſed conſpiracy was firſt diſ-
" covered, the papiſts began to ſmother it, with the barba-
" rous murder of a juſtice of the peace, within one of his
" majeſty's own palaces.

" 12. That amidſt theſe diſtractions and fears, popiſh
" officers for the command of forces were allowed upon
" the muſters, upon ſpecial orders counterſigned by a ſe-
" cretary of ſtate: and in like manner, about fifty new
" commiſſions were granted about the ſame time to known
" papiſts.

" 13. That when, in the next parliament, the houſe of
" commons were prepared to bring to a legal trial the prin-
" cipal conſpirators in this plot, that parliament was firſt
" prorogued, and then diſſolved: and the interval be-
" tween the calling and ſitting of this parliament had been
" ſo long, that the papiſts had gained time and advantage
" of covering their paſt crimes, and practiſing them more
" effectually.

" 14. That witneſſes had been corrupted, not only by
" promiſes of reward, but of the favour of his majeſty's
" brother.

" 15. That divers of the moſt conſiderable of his ma-
" jeſty's proteſtant ſubjects had crimes of the higheſt nature
" forged againſt them, the charge to be ſupported by ſubor-

1680. " nation and perjury, that they might be deſtroyed by forms " of law and juſtice.

" 16. That a preſentment being prepared for the grand " jury of Middleſex, againſt the duke of York, the grand jury " were, in an unprecedented and illegal manner, diſcharged; " and that with ſo much haſte and fear, leſt they ſhould fi- " niſh that preſentment, that they were prevented from de- " livering many other indictments, by them at that time " found againſt other popiſh recuſants.

" 17. That becauſe a pamphlet came out weekly, called, " The weekly packet of advice from Rome, expoſing po- " pery, as ridiculous, to the people, as it deſerved, a new " and arbitrary rule of court, was made in the king's bench " (rather like a ſtar chamber than a court of law) that the " ſame ſhould not for the future be printed by any perſon " whatſoever.

" 18. That notwithſtanding all the proclamations for the " baniſhing papiſts from about this great city, and reſidence " from his majeſty's court, and the parliament; yet great " numbers of them, and that of the moſt dangerous ſort, " did daily reſort hither, and abide here."

" For all which reaſons, the commons intreated his " majeſty, that non- but perſons of ſincere affection to the " proteſtant religion, might be put into any employment " civil or military, that whilſt they gave a ſupply to Tan- " gier, they might be aſſured they did not augment the " ſtrength of their popiſh adverſaries, nor increaſe their " own dangers. But that if his majeſty ſhould vouch- " ſafe to grant their deſires, they ſhould not only be rea- " dy to aſſiſt him in defence of Tangier, but do what- " ſoever elſe ſhould be in their power to enable him to " protect the proteſtant religion and intereſt at home and " abroad."

The lords throw out the exclu- ſion bill. Temple. Kennet, p. 377. Echard, III. p. 594. Burnet.

Two days after this mortifying addreſs, on the 15th of November [x], the excluſion bill was ſent up to the houſe of lords [y]. It paſſed only by two voices upon the firſt reading. But on the ſecond reading it was thrown out by a ſuperiority of ſixty three, againſt thirty. Of fourteen biſhops that day in the houſe, three only gave their votes for, and eleven againſt the bill [z]. The king was preſent at the whole debate, which laſted till near midnight.

[x] The addreſs is dated Novemb. 13. but it was not preſented to the king till November 29.

[y] It was carried up by William lord Ruſſel, attended by the lord Cavendiſh, ſir Henry Capel, and indeed by almoſt the whole houſe of commons. Echard, tom. III. p. 594.

[z] Burnet ſays, all the biſhops voted againſt the bill, p. 482.

It

It was a great mortification to the commons, to ſee their favourite bill thus thrown out by the lords. They grew ſo ſullen and out of humour, that they fell upon ſeveral members of their own houſe, expelling ſome, and impeaching and impriſoning others, as well as upon perſons not of their houſe [a], for being abhorrers, or for having adviſed and aſſiſted in drawing up the proclamation againſt petitioning for the ſitting of the parliament. But this ſerved only to diſcover their rage at their diſappointment concerning the excluſion bill [b]. 1680. Nov. 25. Kennet. Burnet, p. 484.

On the 30th of November, a new ſcene was opened, namely, the trial of William Howard, lord viſcount Stafford, one of the five popiſh lords in the Tower, who were accuſed of being concerned in the plot. He was tried before the lords in Weſtminſter-hall, the chancellor being appointed by the king to perform the office of high ſteward. The managers for the commons began with the plot in general, and laid open the malice, wickedneſs, and horror, of ſo dreadful, bloody, and helliſh a deſign: They ſtrenuouſly inſiſted on the expreſs poſitive oaths of the witneſſes, upon whom the credit of the plot depended: they expatiated on Coleman's letters and others, clearly proving the deſigns and activity of the writers: they preſſed home the execrable murder of ſir Edmundbury Godfrey, charged upon the papiſts, as well by the oaths of ſelf-acknowledged partners in the fact, as by a letter ſent from London to Tixall, intimating this very murder, the third day after it was committed: they fully diſplayed the ſham plots, and counter contrivances, whereby the papiſts would have ſuborned the king's evidence, and turned all the guilt upon his The trial of the lord Stafford. State trials, t. III. p. 101. &c. Burnet. Echard.

[a] They agreed to impeach ſir Edward Seymour the late ſpeaker; and ſir Robert Peyton was brought upon his knees, and expelled the houſe. They alſo voted to proceed for high crimes and miſdemeanours againſt ſir Francis North chief juſtice of the common pleas, ſir Thomas Jones one of the judges of the king's bench, and ſir Richard Weſton one of the barons of the exchequer: and to impeach the lord chief juſtice Scroggs of high treaſon. Kennet, p. 377.

[b] The gentlemen who ſpoke for the excluſion were, lord Ruſſel, ſir Henry Capel, mr. Harbord, colonel Titus, mr. Thomas Bennet, ſir Francis Winnington, ſir Thomas Player, ſir William Jones, mr. Boſcawen, mr. Trenchard, mr. Montague, colonel Sidney.——Againſt the bill, ſir Lionel Jenkins, mr. Laurence Hyde, mr. Edward Seymour, mr. Daniel Finch, mr. Garraway, ſir Richard Graham, Debates, &c. In the houſe of lords the earls of Eſſex and Shaftſbury argued moſt for it: and the earl of Haliſax (who was for limitations) was the champion on the other ſide. For which, when the bill was thrown out, the commons voted an addreſs to the king to remove lord Haliſax from his counſels and preſence for ever, pretending it was for his adviſing the diſſolution of the laſt parliament. Burnet, p. 482.

1680. majeſty's loyal ſubjects: they urged the firing the city, the burning the navy, the calling in French armies, wild Iriſh, Spaniſh pilgrims, &c. They recapitulated the ſeveral trials of Ireland, Whitebread, Langhorn, &c. and alledged the votes of both houſes of parliament, declaring the plot. To corroborate all which, they repeated the cruelties of queen Mary, the French and Iriſh maſſacres, the powder plot, &c. And they anatomiſed the wicked principles and practices of murdering, lying, equivocating, forſwearing, faithbreaking, &c. imputed to the papiſts, as held by them lawful and meritorious. In fine, they produced witneſſes to prove the plot in general, but chiefly three appeared againſt the accuſed lord, namely, Dugdale, Oates, and Turberville.

State trials, p. 123, 124. 1. Dugdale ſwore, "That at a certain meeting held at "Tixall in Staffordſhire, about the end of Auguſt, or be- "ginning of September 1678, the lord Stafford, with lord "Aſton, and others, did in the preſence of the witneſſes, "give his full conſent, to take away the king's life, and "introduce the popiſh religion. And that on the 20th, "or 21ſt of September, in the forenoon, the lord Stafford "ſent for the witneſs to his chamber, while he was dreſ- "ſing; and, turning his ſervant out, offered him five hun- "dred pounds for his charges and encouragement, to take "away the king's life; and further told him, He ſhould have "free pardon of all his ſins, and be ſainted; for the king "had been excommunicated, and was likewiſe a traytor, and "a rebel, and an enemy to Jeſus Chriſt."

p. 126. Oates ſwore, "That in the year 1678, both in Spain "and at St. Omer's, he ſaw ſeveral letters, ſigned Stafford, "wherein his lordſhip aſſured the jeſuits of his fidelity and "zeal, in promoting the catholick cauſe; that in 1678, be- "ing in London, his lordſhip came to the chamber of fa- "ther Fenwick, ſince executed; and there, in his preſence "received a commiſſion from him, to be paymaſter general "to the army: whereupon his lordſhip ſaid, He muſt of "neceſſity go down into the country to take account how "affairs ſtood there; and did not doubt, but at his return, "Grove ſhould do the buſineſs. And, ſpeaking of the king, "he further added, He hath deceived us a great while, and "we can bear no longer."

p. 127. Turberville gave an account of "diſobliging his friends, "by leaving his friar's habit at Doway; and thereupon "went into France, in the year 1675, where at Paris, "getting acquaintance with his lordſhip, he propoſed to

"the

" the witneſs, a way, both to retrieve his reputation with 1680.
" his friends, and make himſelf happy; and this was by
" taking away the life of the king of England, who was
" a heretick, and a rebel againſt God Almighty. That
" when he took leave of him, his lordſhip appointed to
" meet him at London; but he ſoon after returned into
" France, not being willing to undertake the propoſals,
" and was diſcountenanced by his friends, and reduced to
" poverty."

The accuſed lord, in his defence, alledged many things to invalidate the credit of the plot, and particularly, the reputation of theſe three witneſſes.

Againſt Dugdale he produced evidence, " That he was p. 145, 146.
" a perſon of an infamous life; that he had cheated the
" lord Aſton, his maſter, and defrauded the workmen and
" ſervants of their wages; that by his extravagancies and
" miſdemeanours, he had run himſelf into ſeveral hundred
" pounds debt, for which he was thrown into goal, and
" deſpaired of ever getting out from thence, otherwiſe
" than by making the pretended diſcoveries. In the next
" place, that he had directly perjured himſelf, in divers
" parts and circumſtances, as to the time and place, in this
" and other depoſitions." And further, he proved, " That
" he had endeavoured to ſuborn divers perſons to make
" falſe oaths, and ſo to ſtrengthen his own by other men's
" perjury."

Againſt Oates he enlarged upon the great improbabilities, p. 152, &c.
" That ſo many great and rich conſpirators, who had
" truſted him with their greateſt ſecrets, and whoſe lives
" were at his mercy, ſhould ſuffer him to be reduced to
" ſuch a wretched degree of beggary, as he was acknow-
" ledged to be in when he made his firſt diſcoveries. He
" likewiſe inſiſted upon his omiſſions, additions, and con-
" tradictions, that plainly appeared in his ſeveral depoſitions
" about the plot; and alſo upon his villainous feigning him-
" ſelf to be of another religion, by ſolemn renunciations of
" his faith, and by ſuch ſacraments on one ſide, and ſuch
" abjurations and execrations on the other, as rendered
" him unfit to be admitted for an evidence againſt any man
" living."

As to Turberville, he urged, " That he was perjured in
" this, and many other of his depoſitions; and that his
" narrative had many miſtakes and blunders in it. He de-
" nied that he or any of his ſervants, ever ſaw him at Pa-
" ris; and made ſome remarks upon his poverty and want,

" hi

1680. " his looſe manner of living, his ſhameful curſing and " ſwearing, and particularly his uſing theſe words, God " damn me! There is no trade good now, but that of a " diſcoverer'"

This defence, as is eaſily ſeen, could not well be more weak, and yet it laſted a whole week, and the account of this trial makes a ſmall volume in folio, containing in ſubſtance, only what I have ſaid. The accuſations and depoſitions were expreſs, and the priſoner's defence conſiſted, 1. In an abſolute denial of the crime for which he was impeached. But this denial could be of no ſervice to him, as it is not what the judges go by. 2. In ſeveral allegations againſt the witneſſes. But bare allegations without proofs, are not wont to juſtify the accuſed. 3. In an improbability alledged againſt Oates, that if he had been ſo well acquainted with the ſecrets of ſo many rich men, they would never have ſuffered him to be reduced to ſuch want. To this the lords doubtleſs paid the regard, they thought it deſerved. But, methinks, ſuch an improbability cannot be ſaid to make a convincing proof in favour of the priſoner. 4. In a witneſs who depoſed, that Dugdale was a perſon of an infamous life, and guilty of ſeveral cheats. On which, I cannot forbear repeating what I ſaid on a like occaſion, that if in a plot againſt the king or the ſtate, only witneſſes of honeſty and reputation were to be allowed, there would be danger of always wanting evidence, becauſe ſuch plots are commonly diſcovered by the accomplices, and ſeldom any but villains are concerned,

The lord Stafford condemned. p. 187, 211, 212.

However this be, after the lord Stafford had made a long and pathetick ſpeech, and in the preſence of God proteſted his innocence, he was found guilty by fifty five votes againſt thirty one. The lord high ſteward aſking him, " What he " could ſay for himſelf, why judgment of death ſhould not " paſs upon him, according to law?" He replied, " My " lord, I have very little to ſay; I confeſs, I am ſurprized " at it, for I did not expect it. But God's will be done; I " will not murmur at it. God forgive thoſe that have falſely " ſworn againſt me."

Sentence being paſſed upon him, ſeveral of his relations and acquaintance were urgent with him to make diſcoveries of all he knew, as the only means to ſave his life; to which he anſwered, that he was willing, out of a meer ſenſe of duty, without any temporal view, to diſcover the utmoſt of what he knew. Whereupon, he was brought to the bar of the lords, where he declared things known to

Burnet, p. 493.

all

all the world, but ſaid nothing of what was wiſhed to be known. 1680.

He ſaid, "That he thought it no crime for any man "to wiſh his neighbour might be of the ſame religion, "wherein he himſelf hoped to be ſaved; nay, to ſeek and "promote it by ſuch ways as the laws of God and the "nation allow. That there had been, on ſeveral occaſions, "endeavours uſed to obtain an abrogation, or at leaſt a "mitigation of ſeverities againſt the catholicks; but no "otherwiſe than by legal and parliamentary means. That "he himſelf at Breda propounded a hundred thouſand "pounds to the king, for the taking off the penal laws "againſt them. That a bill had been brought into the "houſe of lords in their favour, but was quaſhed by "chancellor Hyde. That the earl of Briſtol had made "ſome propoſals with no better ſucceſs. That he had "offered ſome propoſals to the duke of York, the chan-"cellor, and the earl of Shaftſbury, which laſt ſaid, He "doubted not but that there would come great advantages "to the king by it." But this pretended confeſſion not giving ſatisfaction to the lords, he was ſent back to the Tower. He makes an illuſory confeſſion. Echard, III. p. 597.

The 29th of December he was beheaded, being ſixty eight years of age: He proteſted his innocence to his laſt moment. Is beheaded.

The 15th of December, the king came to the houſe of lords, and ſending for the commons, made a ſpeech to both houſes, which properly was but a repetition of that made at the opening of this ſeſſion, relating to his alliances with Spain and Holland for the repoſe of Chriſtendom, and concerning Tangier. After which he renewed his promiſe of concurring with them in any remedies for the ſecurity of the proteſtant religion, which might conſiſt with preſerving the ſucceſſion of the crown in its due and legal courſe of deſcent. Debates, &c. p. 150. Kennet, p. 378. Echard.

The commons returning to their houſe, inſtead of taking the king's ſpeech into conſideration, reſolved themſelves into a grand committee how to ſecure the kingdom againſt popery and arbitrary government. After a warm debate, they reſolved: Several reſolves of the commons. Debates, &c. p. 154.

"That a bill be brought in immediately, to baniſh all "the conſiderable papiſts out of the kingdom." And upon a farther debate on the miſchiefs and dangers of popery, they reſolved, "That it is the opinion of the committee, "that as long as the papiſts have any hopes of the duke of "York's p. 169. p. 117.

1680. "York's ſucceeding the king in the kingdoms of England "and Ireland, and dominions thereunto belonging; the "king's perſon, the proteſtant religion, and the lives, li- "berties, and properties of all his majeſty's proteſtant ſub- "jects, are in apparent danger of being deſtroyed." Then
p. 284. upon reference made to an act of queen Elizabeth for an "aſſociation, they came to a like reſolution: "That a "bill be brought in for an aſſociation of all his majeſty's "proteſtant ſubjects, for the ſafety of his majeſty's per- "ſon, the defence of the proteſtant religion, and the "preſervation of his majeſty's proteſtant ſubjects, againſt "all invaſions and oppoſitions; and for preventing the duke "of York, or any other papiſt, from ſucceeding to the "crown."

The houſe ſtopped not there. After conſidering of ways and means to ſecure the kingdom againſt popery and arbitrary
p. 285. government, they came to theſe three reſolves. 1. That it is the opinion of this houſe, that a bill be brought in, "For "the more effectual ſecuring of the meetings and ſittings of "frequent parliaments," 2. That it is the opinion of the houſe, that a bill be brought in, that the judges may hold their places and ſalaries, Quam diu ſe bene geſſerint. 3. That it is the opinion of the houſe, that a bill be brought in, "againſt illegal exaction of money from the people, to "make it high treaſon."

After theſe reſolves, each of which diſcovered their extreme diſtruſt of the court, they thought fit to conſider the king's ſpeech, Many ſevere reflections were made upon the French ambaſſador, the French women, the duke, and his creatures, and indirectly, even upon the king himſelf. At laſt, they reſolved upon an addreſs to the king,
Doc. 20. Id. p. 196. by way of anſwer to his ſpeech, in which they repreſented:

"That this proteſtant kingdom can never be ſafe, while "there is any hopes or expectation of a popiſh ſucceſſor; "and they beſeech his majeſty, in his great wiſdom, to "conſider, whether, in caſe the imperial crown of this pro- "teſtant kingdom ſhould deſcend to the duke of York, the "oppoſition which may poſſibly be made to his poſſeſſing "it, may not only endanger the further deſcent in the royal "line, but even monarchy itſelf? They therefore become "humble petitioners to his ſacred majeſty, that in tender "commiſeration of his poor proteſtant people, his majeſty "would be graciouſly pleaſed to depart from the reſerva- "tion in the ſaid ſpeech; and when a bill ſhall be tendered

"to

"to his majeſty in a parliamentary way, to diſable the duke of York from inheriting the crown, his majeſty will give his aſſent thereunto; as alſo to another act, whereby his proteſtant ſubjects may be enabled to aſſociate themſelves for the defence of his majeſty's perſon, the proteſtant religion, and the ſecurity of his kingdom.——And as ſome farther means for the preſervation both of their religion and property, they are humble ſuitors to his majeſty, that from henceforth ſuch perſons only may be judges, as are men of ability, integrity, and known affection to the proteſtant religion, and that they may hold both their offices and ſalaries, Quam diu ſe bene geſſerint. That no one may bear the office of a lord lieutenant, but who is a perſon of integrity and known affection to the proteſtant religion. The deputy lieutenants, and juſtices of the peace, may be alſo ſo qualified, and men of ability, of eſtates, and intereſt in their country. That none may be employed as military officers, but men of known experience, courage, and affection to the proteſtant religion. And theſe their humble requeſts being obtained, they ſhall, on their part, be ready to aſſiſt his majeſty for the preſervation of Tangier, and for putting his majeſty's fleet into ſuch a condition, as it may preſerve his majeſty's ſovereignty of the ſeas, and be for the defence of the nation." The king gave no anſwer to this addreſs till about a fortnight after. 1680.

While the king and the parliament were united, it was the intereſt of the papiſts to promote a toleration of the nonconformiſts, that they themſelves might enjoy the benefit under that general denomination. But ſince the king and the parliament were at variance, the perſecution fell upon the papiſts alone, who were accuſed of intending to introduce their religion by force. Wherefore, it was their intereſt to incenſe the church of England againſt the preſbyterians, and thereby cauſe a diverſion. It cannot be denied, that many of the biſhops and clergy fell into this ſnare, and were pleaſed to ſee the court, which always favoured the papiſts, inclined to perſecute the preſbyterians. Encouraged by the court, the moſt zealous of the epiſcopal way failed not to diſcover their hatred of the preſbyterians, ſo that at the very time, the papiſts were accuſed by the parliament as the authors of all the miſchiefs of the kingdom, the preſbyterians were attacked, as if it was intended to throw the blame upon them. By this the clergy of the church of England were cenſured for appearing to favour the deſigns of the papiſts.

Intrigues of the papiſts to ſow diſſention amongſt the proteſtants. Burnet, p. 461, 494.

1680. piſts. Beſides, it is certain, that during the conteſts between the king and the parliament, the clergy in general were attached to the court, and the intereſts of the duke of York. This was ſufficient to revive the complaints of the preſbyterians againſt the church of England, and to charge her with being popiſhly inclined. Moreover, in the diſpoſition of the court in favour of the papiſts, ever ſince the beginning of this reign, or at leaſt ſince the earl of Clarendon's diſgrace, it may eaſily be imagined, that care had been taken to introduce among the clergy, men of a doubtful religion, and from whom the court had nothing to fear.

The commons favourable to the preſbyterians.

Upon all theſe accounts, the commons thought it highly ſeaſonable at this juncture, to ſcreen the preſbyterians from perſecution. They found themſelves moreover concerned, in that, for the reaſon before intimated, there were many preſbyterians in the houſe, who to qualify themſelves for their election, had taken the oaths, and received the ſacrament in the church of England, but who were not for that the leſs preſbyterians. So, the 21ſt of December, a bill was read the firſt time, for uniting the king's proteſtant ſubjects. Whilſt the rigid epiſcopalians prevailed in the ſecond parliament of this reign, they had carefully avoided to diſtinguiſh the proteſtant nonconformiſts from the others, becauſe it was advantageous to them, to make them but one body under the ſame name. But this parliament which had other views, neglected not to make ſo natural a diſtinction. This bill, which perhaps was too indulgent to the preſbyterians, meeting with ſtrong oppoſition in the houſe, was relinquiſhed for one leſs advantageous, which exempted the proteſtant diſſenters from the penalty impoſed on the papiſts by the act of the 35th of Elizabeth. This bill paſſed both houſes, but was ſecretly conveyed away, when it was to be offered to the king for his aſſent [c].

Debates, &c. p. 205. Kennet. Echard.

A bill paſſes both houſes in their favour.

The commons concluded the year with this vote, "That "no member of the houſe ſhould accept of any office or "place of profit from the crown, without leave of the houſe; "nor any promiſe of any ſuch office or place of profit dur-

A vote of the commons. Debates, &c. p. 220.

[c] On the day of the prorogation, when the bill for repealing the act of the 35th of Elizabeth ought to have been offered to the king, the clerk of the crown, by the king's particular order, withdrew the ſaid bill. The king had no mind openly to deny it: but he had leſs mind to paſs it. So this indiſcreet method was taken, which was a high offence in the clerk of the crown. Burnet, p. 495.

"ring

" ring ſuch time as he ſhould continue a member of the " houſe [d]." 1680-1.

The king found himſelf very much at a loſs what anſwer to return to the commons addreſs. His council was divided. Some adviſed him to return no anſwer, and to uſe this pretence, that as he had addreſſed his ſpeech to both houſes, he could not conſider the particular addreſs of one houſe as an anſwer to his ſpeech. Others were of opinion, that the king ſhould return a poſitive anſwer, becauſe they little cared to keep any meaſures with the parliament, but on the contrary, (knowing their management, of the king's affairs, would never be forgiven by the commons) they were indirectly doing all they could to engage him to diſſolve the parliament, and call no more for the future. Of this opinion were the four principal directors of the king's affairs, namely, Sunderland, Halliſax, mr. Hyde, and mr. Godolphin. When it is conſidered, that from the beginning of this reign, or, at leaſt from the earl of Clarendon's diſgrace, there were not only men of theſe principles always in the council, but that alſo they were generally the chief miniſters, it can hardly be doubted, that the king himſelf was likewiſe of the ſame principles, though there ſhould be no other proof. It is therefore certain, that the fears of the commons were not groundleſs. It muſt be farther remarked, that though the council was divided concerning the manner of anſwering the commons addreſs, they were agreed as to the thing itſelf, not one privy counſellor being of opinion, that the king ſhould not conſent to the excluſion of the duke of York. Different opinions in the council, Temple's mem. pt. III. p. 353.

Though the king at firſt ſeemed to approve of the former of theſe two opinions, he ſuffered himſelf to be influenced by the latter, namely, to return a poſitive anſwer to the commons, which he did in the following manner: The king's anſwer to the commons addreſs. Jan. 4. Debates, &c. p. 239.

" His majeſty received the addreſs of this houſe, with " all the diſpoſition they could wiſh to comply with their " reaſonable deſires, but upon peruſing it, he is ſorry to " ſee their thoughts ſo wholly fixed upon the bill of excluſion, as to determine, that all other remedies for the ſuppreſſing of popery, will be ineffectual: his majeſty is " confirmed in his opinion againſt that bill, by the judgment of the houſe of lords, who rejected it. He therefore thinks, there remains nothing more for him to ſay,

[d] This year died John Wilmot, the witty earl of Rocheſter; Samuel Butler author of Hudibraſs; Harry Marten, one of the regicides; and the famous painter ſir Peter Lely.

1680-1. "in anſwer to the addreſs of this houſe, but to recommend "to them the conſideration of all other means for the pre- "ſervation of the proteſtant religion, in which they have "no reaſon to doubt of his concurrence, whenever they "ſhall be preſented to him in a parlimentary way: and "that they would conſider the preſent ſtate of the king- "dom, as well as the condition of Chriſtendom, in ſuch "a manner as may enable him to preſerve Tangier, and ſe- "cure his alliances abroad, and the peace and ſettlement "at home [e]."

Jan. 7. Debates. &c. p. 221. This anſwer was not read in the houſe till three days after, becauſe the commons were employed in drawing up an impeachment againſt chief juſtice Scroggs, who was accuſed of endeavouring to ſtifle the belief of the plot, diſcouraging the king's evidences, diſmiſſing the grand jury, that ſhould have preſented the duke of York, and of unjuſtly proſecuting ſeveral writers and publiſhers of pamphlets. In this interval the lords ſent to the commons the following vote, "That they declared, and were fully ſatis- "fied, that there now was, and for divers years laſt had "been a horrid and treaſonable plot, continued and car- "ried on by the Iriſh papiſts, for maſſacring the Engliſh, "and ſubverting the proteſtant religion, and the antient "eſtabliſhed government of that kingdom." The commons readily concurred to this vote, and added, "That "the duke of York's being a papiſt, and the expectation "of his coming to the crown, had given the greateſt "countenance and encouragement thereto, as well as to "the horrid popiſh plot in the kingdom of England."

Jan. 6. Id. p. 230. A vote of the lords, p. 238. Kennet. Echard. Approved by the commons.

When the king's anſwer was read in the houſe of commons, it raiſed great heats and complaints againſt the lords, for throwing out the bill of excluſion, in complaiſance to the king, or becauſe they were awed by his preſence. At laſt, after great debates, they came to theſe three reſolutions:

Reſolutions of the commons upon the king's anſwer. Debates about the excluſ. p. 265. Kennet. Echard. "1. That it is the opinion of this houſe, that there is no "ſecurity nor ſafety for the proteſtant religion, the king's "life, or government of this nation, without paſſing a bill "for diſabling James duke of York, to inherit the im- "perial crown of this realm, and the dominions and ter- "ritories thereunto belonging: and to rely upon any other

[e] This anſwer was brought by ſir William Temple. See his mem. part III. p. 352.

"means

"means and remedies, without ſuch a bill, is not only in- 1680-1.
"ſufficient but dangerous.

"2. That his majeſty, in his laſt meſſage, having aſ-
"ſured this houſe, of his readineſs to concur in all other
"means for the preſervation of the proteſtant religion, this
"houſe doth declare, that untill a bill be likewiſe paſſed
"for excluding the duke of York, this houſe cannot give
"any ſupply to his majeſty, without danger to his majeſty's
"perſon, extreme hazard of the proteſtant religion, and
"unfaithfulneſs to thoſe by whom the houſe is intruſted.

"3. That all perſons who adviſed his majeſty, in his
"laſt meſſage to this houſe, to inſiſt upon an opinion a-
"gainſt the bill for excluding the duke of York, have
"given pernicious counſel to his majeſty, and are promo-
"ters of popery, and enemies to the king and king-
"dom."

In purſuance of this laſt vote, the houſe came to a reſolution of preſenting to the king, an addreſs, to remove from his perſon and counſels, George earl of Halifax, Laurence Hyde Eſq; Henry Somerſet, marquis of Worceſter, Henry Hyde, earl of Clarendon, and Lewis Duras earl of Feverſham. Moreover they voted, That whoſoever ſhould hereafter lend, or cauſe to be lent, by way of advance, any money upon the branches of the king's revenue ariſing by cuſtom, exciſe, or hearth money, ſhould be judged a hinderer of the ſitting of parliaments, and be reſponſible for the ſame in parliament.——And that whoſoever ſhould accept or buy any tally, or anticipation, upon any part of the king's revenue, ſhould be adjudged as before.

An addreſs from the commons to the king. Debates, &c. p. 257. A vote againſt him. p. 268. Kennet.

The houſe of commons could hardly carry things any further, and ſeemed to intend to engage the king in ſome violent action, which might give an advantage againſt him. Thus had the parliament of 1640 behaved to Charles I. But Charles II. had one advantage wanted by his father, which was, that he had not, like him, deprived himſelf of the power to prorogue or diſſolve the parliament, and ſo could whenever he pleaſed, put an end to the mortifications which were given him. It is true, in ſuch a caſe he muſt have contented himſelf with his ordinary revenue, which, to a prince ſo prodigal as he, was not eaſy. It was this which made his enemies hope, he would come at laſt to their terms, and conſent to the excluſion bill. Indeed, if father Orleans may be credited, the ducheſs of Portſmouth threw herſelf at his feet, and prayed him not to ruin himſelf

The king is in vain preſſed to forſake the duke of York.

Echard, III. p. 606.

1680-1. self for the sake of his brother [f]. Fagel, pensionary of Holland, sent Mr Sidney, the king's envoy at the Hague, a memorial representing, that the king could not support the duke of York, without relinquishing the interests of all Europe.

Welwood. Temple's mem. p. 355.

But this argument made no great impression on the king's mind. On the contrary, these difficulties served only to provoke him the more, so that he resolved to prorogue the parliament. The commons having private notice of this, assembled more early than usual, and, before the king came to the house of lords, the 10th of January, had time to pass the following votes:

Kennet, p. 379. Echard, III. p. 607.

Votes of the commons.

"1. That whosoever advised his majesty to prorogue "the parliament, to any other purpose, than in order to "passing a bill for the exclusion of James duke of York, "is a betrayer of the king, the protestant religion, and "of the kingdom of England, a promoter of the French "interest, and a pensioner of France.

"2. That it is the opinion of this house, That the "acts of parliament made in the reign of queen Elizabeth, "and king James, against popish recusants, ought not to "be extended against protestant dissenters.

"3. That it is the opinion of this house, That the pro- "secution of protestant dissenters upon the penal laws, is "at this time grievous to the subject, a weakening the pro- "testant interest, an encouragement to popery, and dan- "gerous to the peace of the kingdom."

The king prorogues the parliament.

These votes were scarce passed, when the king came to the house of peers, and sending for the commons, gave the royal assent to two or three acts of little importance [g], and then, the chancellor, by his order, prorogued the parliament to the 20th of January.

Addressed by the city of London. Echard, III. p. 607.

Three days after, the lord mayor and common council of London, presented to the king an address, for the sitting of the parliament on the day appointed, that they might effect the great affairs before them. This address

[f] The true reason, according to Burnet, why the duchess of Portsmouth openly declared for the house of commons, and was so hearty for the exclusion, was this: it was proposed to her, that if she could bring the king to the exclusion, the parliament would next press the king to declare the successor to the crown; and as she was absolute mistress of the king's spirit, she might reckon the king would be prevailed on to declare her son his successor. The duke of Monmouth, who had the same view, joined with her to carry on the exclusion; and they thought they were making tools of one another to serve their own ends, p. 487.

[g] One was, an addition to the act for burying in woollen.

served

ſerved only to exaſperate the king further. Wherefore, by a proclamation, the 18th of January, he diſſolved the parliament. At the ſame time he ſummoned another to meet at Oxford the 21ſt of March, being offended with the city of London. 1680-1.

He diſſolves the parliament, and calls one at Oxford.

During theſe conteſts, the miniſters and privy counſellors were not a little embaraſſed. They ſaw the houſe of commons ſo attached to the excluſion bill, that nothing elſe could ſatisfy them. On the other hand, they knew by experience, that on other important occaſions, the king had not ſhown that firmneſs which his miniſters could have wiſhed, but had abandoned them, and come into the meaſures of the parliament. This made them fear, the ſame thing might happen on the preſent occaſion, and therefore, Robert Spencer earl of Sunderland, ſecretary of ſtate, went off the firſt, and, contrary to the king's expreſs order, voted for the excluſion bill in the houſe of lords. The earls of Eſſex and Saliſbury, privy counſellors, did the ſame, and ſir William Temple ſufficiently teſtifies his fear of being expoſed to the houſe of commons, This conduct of ſome of the privy counſellors, gave the country party hopes, that the king would at laſt comply if he was warmly preſſed.

The miniſters and privy counſellors in great difficulties. Temple's mem. part III. p. 354, 355.

But that party was diſappointed in their expectations. For, though the king had diſcovered no great firmneſs in all his difficulties, yet in the affair of his brother he was ever immoveable [h]. Immediately after the diſſolution of the parliament, he removed the earl of Sunderland from being ſecretary, and gave the place to the earl of Conway. He likewiſe ſtruck out of the council book, the names of the earls of Eſſex, Saliſbury, Sunderland, and ſir William Temple, and in their room put men whoſe principles were more agreeable to his own [i]. He likewiſe made ſome al-

The king perſiſts in ſtanding by his brother. Ibid.

New promotions amongſt the privy-counſellors and judges. Temple. Kennet, p. 381. Echard.

[h] He at firſt came in to the bill of excluſion, or ſeemed to do ſo. The ducheſs of Portſmouth and others perſuaded him to wave the duke of York's right, and accept of an act of parliament in his own favour, like that made in the reign of Henry VIII. by which he ſhould have a power veſted in him to diſpoſe of the crown at his death under ſuch reſtrictions and limitations as ſhould be agreed on. Whether ſuch act was really intended is hard to determine; but it is certain ſuch an offer was made to the king, with a promiſe of a conſiderable ſum of money, towards the ſupplying his preſſing wants. It is likewiſe certain, that king Charles ſeemed willing to accept of it, till the French court, whoſe intereſt it was to ſupport the duke of York, ſtruck up a bargain with the king, to give him more money for refuſing, than had been offered him for conſenting to the bill of excluſion. Welwood, p. 114, 115.

[i] Aubrey de Vere earl of Oxford, Philip Stanhope, earl of Cheſterfield, and Robert Bruce earl of Aleſbury, were ſworn privy counſellors, on January the 26th. The lord Gravenwas likewiſe made privy counſellor, March 9. Kennet, p. 381.

1680-1. teration among the judges. In a word, by the men whom he advanced, he ſufficiently diſcovered his intention to ſupport the duke of York his brother, let what would be the conſequence.

London chooſes the old members. Echard, III. p. 610.

On the other hand, the contrary party to the court were not idle. The magiſtracy and common council of London, being of that party, haſtened the elections of members to ſerve in the enſuing parliament, and on the 4th of February rechoſe their old members [k]. The election was no ſooner over, than the new repreſentatives were preſented with a paper, in the name of the citizens of London then aſſembled in common hall, containing a re- "turn of their moſt hearty thanks for their faithful and "unwearied endeavours in the two laſt parliaments, to "ſearch into and diſcover the depth of the popiſh plot; "to preſerve his majeſty's royal perſon, the proteſtant "religion, and the well eſtabliſhed government of this "realm; to ſecure the meeting and ſitting of frequent "parliaments; to aſſert their undoubted rights of petition- "ing, and to puniſh ſuch as have betrayed thoſe rights; "to promote the long wiſhed for union of his majeſty's "proteſtant ſubjects; to repeal the thirty fifth of Eliza- "beth, and the corporation act; and more eſpecially for "their aſſiduous endeavours in promoting the bill of ex- "cluſion of James duke of York." In fine, they concluded, "That being confidently aſſured, that they, [the "ſaid members for the city,] will never conſent to the "granting any money ſupply, till they have effectually "ſecured them againſt popery and arbitrary power, they "reſolved, by God's aſſiſtance, to ſtand by their ſaid mem- "bers with their lives and fortunes." The example of London was followed by moſt places in the kingdom, and not only the old members were re-elected [l], but papers of addreſſes, like that of London, were preſented to them. So, when the elections were over, the king with grief ſaw, he was going to meet the ſame parliament he had diſſolved.

Burnet, p. 496.

Mean while, the king's precaution to call his new parliament at Oxford, gave great uneaſineſs to the country party. They were deſirous that the parliament ſhould ſit

[k] Sir Robert Clayton, ſir Thomas Player, Thomas Pilkington, and Chriſtopher Love. This was the third time of their being choſen.

[l] There was a hundred and ten new members choſen. See debates about the excluſion, p. 381.

at Weſtminſter, where they were ſure of the aſſiſtance of the Londoners in caſe of need. And who knows, whether ſome did not propoſe to uſe, for paſſing the excluſion bill in the houſe of lords the ſame means formerly uſed to extort from the peers their conſent to the bill of attainder againſt the earl of Strafford? be this as it will, they reſolved to uſe their utmoſt endeavours to have the place altered, and the parliament removed to Weſtminſter. For this purpoſe the earl of Eſſex, attended by fifteen lords [m], delivered a petition to the king, introducing it with the following ſpeech: 1680-1. Kennet, p. 383. Echard, III. p. 611.

May it pleaſe your majeſty,

"THE lords here preſent, together with divers other peers of the realm, taking notice, that by your late proclamation your majeſty had declared an intention of calling a parliament at Oxford; and obſerving from hiſtory and records, how unfortunate many aſſemblies have been, when called at a place remote from the capital city; as particularly the congreſs in Henry the ſecond's time at Clarendon; three ſeveral parliaments at Oxford in Henry the third's time, and at Coventry in Henry the ſixth's time; with divers others which have proved very fatal to thoſe kings, and have been followed with great miſchief on the whole kingdom; and conſidering the preſent poſture of affairs, the many jealouſies and diſcontents which are amongſt the people, we have great cauſe to apprehend, that the conſequences of a parliament now at Oxford, may be as fatal to your majeſty and the nation, as thoſe others mentioned have been to the then reigning kings. And therefore we do conceive, that we cannot anſwer it to God, to your majeſty, or the people, if we, being peers of the realm, ſhould not, on ſo important an occaſion, humbly offer our advice to your majeſty; that, if poſſible, your majeſty may be prevailed with to alter this, (as we apprehend) unſeaſonable reſolution. The grounds and reaſons of our opinion are contained in this our petition, which we humbly preſent to your majeſty." The earl of Eſſex's ſpeech to the king.

The petition contained in ſubſtance, an enumeration of the miſchiefs attending the many late adjournments, prorogations, and diſſolutions of parliaments, at a time when Kennet, p. 383.

[m] Namely the duke of Monmouth; the earls of Kent, Huntington, Bedford, Saliſbury, Clare, Stanford, Shaftsbury; the lords Mordaunt, Evers, Paget, Grey, Herbert, Howard, De la Mere. Kennet, p. 384.

1680-1. his majeſty's perſon, and the whole nation were in ſuch imminent danger from the papiſts. "And now his majeſty had been prevailed to call another parliament at "Oxford, where neither lords nor commons could be in "ſafety, but daily would be expoſed to the ſword of the "papiſts, and their adherents, of whom too many have "crept into his majeſty's guards: the liberty of ſpeaking "according to their conſciences, would be thereby deſtroyed, and the validity of their acts and proceedings left "diſputable: the ſtraitneſs of the place no ways admitted "of ſuch a concourſe of perſons, as now followed every "parliament; and the witneſſes which were neceſſary to "give evidence upon the commons impeachment, were unable to bear the charges of ſuch a journey, and unwilling "to truſt themſelves under the protection of a parliament, "that was itſelf evidently under the power of guards and "ſoldiers. In concluſion, they prayed, that the parliament "might, as uſually, ſit at Weſtminſter, where they might "conſult and act with ſafety and freedom."

To this addreſs the king returned no anſwer, but contented himſelf with frowning upon the lords who preſented it.

Echard. All this while the two parties were ſkirmiſhing in ſo hot, or rather ſo violent a manner, with their pens, that no meaſures were kept. Libels ſwarmed with impunity. Some pretend, this was a court artifice, to prevent the union of the proteſtants, and that ill language thrown out againſt the king and the duke of York, was patiently ſuffered, in order to caſt the blame on the preſbyterians, and give the epiſcopal party occaſion to return the imputation of being too much attached to the court. Thus much is certain, this diviſion, which was carefully fomented, turned to the king's advantage, as will hereafter appear. I ſhall relate upon this ſubject an affair which then made a great noiſe.

The affair of Fitz Harris. Kennet, p. 386. Echard, III. p. 612. R. Coke. Burnet, p. 497. One Fitz Harris an Iriſh papiſt, who had free acceſs to the ducheſs of Portſmouth, and kept a correſpondence with her favourite woman mrs. Wall, and with the confeſſor of the French ambaſſador, having received ſeveral preſents, and particularly one of two hundred and fifty guineas, undertook to prevail with one Edmund Everard, to write a libel againſt the king. Everard feigned to conſent, and appointed a meeting to receive informations, by which his pamphlet was to be framed. But at the ſame time he communicated the affair to ſir William Waller, and mr. Smith,

and

and cauſed them to be concealed in a place where they might hear what paſſed between Fitz Harris and him. The next day, being both together in a room, Fitz Harris told Everard, that he ſhould write a libel againſt the king upon the following heads. 1680-1. Feb. 21.

That the king and royal family were papiſts, and arbitrarily affected from the beginning.

That Charles I. had a hand in the Iriſh rebellion, and that Charles II. did countenance the ſame, by preferring Fitz Gerald, Fitz Patrick, and Mount Garret, who were engaged in the ſaid rebellion.

That the act, forbidding to call the king a papiſt, was to ſtop men's mouths when he ſhould incline to further popery; which appeared by his adhering ſo cloſely to the duke of York's intereſt, and hindering him from being proceeded againſt by the parliament, and hindering the officers put in by the duke, to be turned out; and for that the privy counſellors and juſtices of the peace, who were for the proteſtant intereſt, were turned out of all places of truſt.

That it was as much in the power of the people to depoſe a popiſh poſſeſſor, as a popiſh ſucceſſor; and ſeeing there was no hopes that the parliament, when they met at Oxford, could do any good, the people were bound to provide for themſelves.

Everard afterwards received theſe inſtructions in writing, and drew up his libel, which was injurious to the king, and full of ſedition [a]. This libel was to be diſperſed by the penny poſt to the proteſtant lords, and particularly to the leading preſbyterians, whoſe houſes were to be ſearched in order to find this libel, which was to ſerve as a proof of a conſpiracy formed by the preſbyterians againſt the government. This is what Everard affirmed, and that the whole came from the court. At laſt, Waller having informed the king of the affair, the king ordered ſecretary Jenkins to iſſue out a warrant for apprehending Fitz Harris, and that Waller ſhould execute it. Yet he was no ſooner gone, but ſir William declared, he was informed by two worthy gentlemen, "That the king was highly offended with him, ſaying, he had broken all his meaſures." However, Waller arreſted Fitz Harris, and ſent him to Newgate [o].

Here

[a] It was intitled, The true Engliſhman ſpeaking plain Engliſh.

[o] Burnet ſays, Fitz Harris framed the libel himſelf, and only ſhewed it

1680-1. Here, as in the former affair concerning the plot, it is pretended, that Fitz Harris was gained by promiſes or threats, to depoſe what has been ſeen P. But before this affair could be fully diſcovered, Fitz Harris was taken out of Newgate, and ſent to the Tower by the king's expreſs order. I ſhall enter no farther into the particulars of this affair, but content myſelf with briefly ſaying, that ſhortly after the diſſolution of the Oxford parliament, when the court began to ſail with a proſperous gale, without being controlled by the parliament, Fitz Harris was brought to his trial; that the dutcheſs of Portſmouth owned ſhe had given him money, but merely out of charity; that Fitz Harris continually inſinuated, that what he did was by the order of his ſuperiors, and that, after his death, his wife conſtantly affirmed that the libel was a court trick. In ſhort, he was condemned and executed, whilſt the publick could not conceive for what reaſon an Iriſh papiſt had publiſhed a libel againſt the king, if it was not an artifice of the court. This affair began in February, and the laſt parliament had taken cognizance of it, ſo that the commons had ordered an impeachment againſt him, and when he was ſent to the Tower, declared, that for any inferior court to proceed againſt him or any other perſon lying under an impeachment of parliament, is a high breach of the privilege of parliament. He was nevertheleſs tried, condemned and executed, to the great diſappointment of the whigs, who hoped, by his means, to diſcover the artifices of the court. But the king and his party thought it for their advantage to be rid of a man, who might throw them into difficulties. He was not executed till June, after the diſſolution of the Oxford parliament.

He is ſent to Newgate. Echard, t. II. p. 614.

The king ſends him to the Tower. March 11. State trials, III. p. 226.

He is condemned and executed.

State trials, III. p. 224, 226.

to Everard, who believing he intended to trepan him, placed witneſſes to overhear all that paſt; Fitz Harris having the libel with him, all writ with his own hand, Everard went with the paper and informed againſt him, p. 497.

P Cornish, one of the ſheriffs of London, going to ſee him, he deſired he would bring him a juſtice of the peace. Cornish went and acquainted the king with it. Whereupon the ſecretaries and ſome privy counſellors were ſent to examine Fitz Harris; to whom he gave a long relation of a deſign to kill the king, in which the duke of York was concerned, with many other particulars; but it was all a fiction. The ſecretaries came to examine him further a ſecond time: he boldly ſtood to all he had ſaid, and deſired that ſome juſtices of the city might be brought to him. So Clayton and Treby came; to whom he made in all points the ſame pretended diſcovery over again. So that there was no colour for what was afterwards advanced, namely, that Clayton and Treby had practiſed on him. Idem, p. 498.

The

The meeting of this parliament was univerſally expected with the utmoſt impatience, and by the king, with great uneaſineſs, foreſeeing the ſtorm that was gathering. He repaired to Oxford ſeven or eight days before the opening, and as the ſuſpicions and fears of the whig party were then at the utmoſt height, it was thought, the king went ſo ſoon to Oxford, on purpoſe to take meaſures beforehand, for rendering himſelf maſter of the parliament. Accordingly, the members manifeſtly ſhowed their fears of ſome violence, by going thither attended with armed retinues. Thoſe for the city of London in particular came with a numerous body of well armed horſe, having ribbands in their hats, with theſe words woven in them, No POPERY! No SLAVERY! The parliament meeting the 21ſt of March, the king made the following ſpeech to both houſes [9].

1680-1.

The king comes to Oxford before the time. March 14. Kennet, p. 384. Mutual ſuſpicions. Echard, III. p. 616.

My lords and gentlemen,

"THE unwarrantable proceedings of the laſt houſe of commons, were the occaſion of my parting with the laſt parliament; for I, who will never uſe arbitrary government myſelf, am reſolved not to ſuffer it in others. I am unwilling to mention particulars, becauſe I am deſirous to forget faults; but whoſoever ſhall calmly conſider what offers I have formerly made, and what aſſurances I renewed to the laſt parliament; how I recommended nothing ſo much to them as the alliances I had made, for the preſervation of the general peace in Chriſtendom, and the further examination of the popiſh plot, and how I deſired their advice and aſſiſtance concerning the preſervation of Tangier; and ſhall then reflect upon the ſtrange unſuitable returns made to ſuch propoſitions, by men that were called together to conſult; perhaps may wonder more, that I had patience ſo long, than that at laſt I grew weary of their proceedings. I have thought it neceſſary to ſay thus much to you, that I may not have any new occaſion given me to remember more of the late miſcarriages: it is much my intereſt, and it ſhall be as much my care as yours, to preſerve the liberty of the ſubject, becauſe the crown can never be ſafe when that is in danger: and I would have you likewiſe be convinced, that

The king's ſpeech to the parliament. Kennet, p. 384. Echard.

[9] The lords ſat in the gallery of the publick ſchools, and the commons in the convocation houſe.

"neither

1680-1. " neither your liberties nor properties can ſubſiſt long, when
" the juſt rights and prerogatives of the crown are invaded,
" or the honour of the government brought low, and in-
" to diſ-reputation.

" I let you ſee, by my calling this parliament ſo ſoon,
" that no irregularities in parliaments ſhall make me out
" of love with them; and by this means, offer you an-
" other opportunity of providing for our ſecurity here, by
" giving that countenance and protection to our neighbours
" and allies, which you cannot but know they expect from
" us, and extremely ſtand in need of at this inſtant; and
" at the ſame time give one evidence more, that I have
" not neglected my part, to give that general ſatisfaction
" and ſecurity, which, by the bleſſing of God, may be
" attained, if you, on your parts, bring ſuitable diſpoſitions
" towards it: and that the juſt care you ought to have of
" religion, be not ſo managed and improved into unneceſ-
" ſary fears, as to be made a pretence for changing the
" foundation of the government. I hope the example of
" the ill ſucceſs of former heats, will diſpoſe you to a bet-
" ter temper; and not ſo much to inveigh againſt what is
" paſt, as to conſider what is beſt to be done in the preſent
" conjuncture, the further proſecution of the plot; the
" trial of the lords in the Tower; the providing a more
" ſpeedy conviction of recuſants; and, if it be practicable,
" the ridding ourſelves quite of that party, that have any
" conſiderable authority or intereſt among them, are things,
" though of the higheſt importance, that hardly need to
" be recommended to you, they are ſo obvious to every
" man's conſideration, and ſo neceſſary to our ſecurity. But
" I muſt needs deſire you, not to lay ſo much weight up-
" on any one expedient againſt popery, as to determine,
" that all others are ineffectual; and among all your cares
" for religion, remember, that without the ſafety and dig-
" nity of the monarchy, neither religion nor property can
" be preſerved.

" What I have formerly and ſo often declared, touching
" the ſucceſſion, I cannot depart from. But to remove
" all reaſonable fears that may ariſe from the poſſibility of
" a popiſh ſucceſſor's coming to the crown, if means can
" be found, that in ſuch a caſe, the adminiſtration of the
" government may remain in proteſtant hands; I ſhall be
" ready to hearken to any ſuch expedient, by which the
" religion may be preſerved, and the monarchy not deſtroy-
" ed. I muſt therefore earneſtly recommend to you, to

" provide

"provide for the religion and the government together, with regard to one another, becauſe they ſupport each other: and let us be united at home, that we may recover the eſteem and conſideration we uſed to have abroad. I conclude with this one advice to you, that the rules and meaſures of all your votes may be the known and eſtabliſhed laws of the land; which neither can, or ought to be departed from, nor changed, but by act of parliament: and I may the more reaſonably require, that you make the laws of the land your rule, becauſe I am reſolved they ſhall be mine." 1608-1.

The commons returning to their houſe, choſe for ſpeaker, William Williams of Gray's-Inn, who had been ſpeaker the laſt parliament, and the king approved of the choice.

A reſolution to print the votes. Debates about the excluſion, p. 297. Kennet, p. 386. Echard.

After the commons had ſpent three days in chuſing their ſpeaker, and taking the uſual oaths, a motion was made for printing the votes, and approved, notwithſtanding the oppoſition of ſecretary Jenkins. As the ſecret deſign of the commons was to let the people ſee the neceſſity of the excluſion bill, they were deſirous to acquaint them with their proceedings in that affair, that they might not be deceived by general accounts of it. For a contrary reaſon, the king was unwilling the people ſhould know all the circumſtances. But his party was not ſtrong enough to prevent it, and from that time the votes of the commons have been printed, to the great profit of the ſpeaker.

Debates, &c. p. 300, 307.

In the ſecond place, a motion was made to enquire into the miſcarriage of the bill for the repeal of the act of the 35th of Elizabeth, how it came to be ſlipt over in the late parliament, and not preſented for the royal aſſent? "Which, (ſaid the mover,) I look upon as a breach of the conſtitution of the government." But the further debate of this matter was adjourned to the next day.

Id. p. 301.

Thirdly, a motion was made to bring in a bill to exclude the duke of York from the ſucceſſion. Secretary Jenkins warmly oppoſed it, becauſe, as he ſaid, the king had given his vote againſt it. But he was anſwered, that the king had as ſtrongly declared, that he would never depart from his declaration for liberty of conſcience; and yet, upon reaſons given him by the houſe, he was perſuaded to revoke it. Though the debates upon this ſubject were very warm, the houſe came to that temper, as to agree, that in order to pay the king all the reſpect that might be, they would ſet apart a time to conſider of expedients, and accordingly,

1680-1. accordingly they appointed Saturday the 26th for the debate of them.

Id. p. 310, &c. Fourthly, they examined the affair of Fitz Harris, and his libel, and thought the matter ſo full of knavery and ſubtiltly, and of that conſequence to the publick, that they reſolved to impeach Fitz Harris of high treaſon, in order to diſcover the bottom of this myſtery, and lay open the artifices of the court. Secretary Jenkins, the king's man in that houſe, was ordered to carry up the impeachment to the lords. He refuſed at firſt, but being threatened by the houſe, he at laſt complied. At the ſame time it was ordered, that ſir William Waller ſhould have the thanks of the houſe for his diſcovery of Fitz-Harris.

1681. The 26th of March, the day fixed for examining the expedients which ſhould be propoſed to prevent the excluſion bill, a paper was read in the houſe, of which this is the ſubſtance [r].

Expedients to prevent the bill of excluſion.

Expedients propoſed inſtead of the bill of excluſion. Echard, III. p. 620.

" 1. That the duke of York be baniſhed, during his " life, five hundred miles from England, Scotland, and " Ireland, and the dominions and territories to them be- " longing. 2. That the whole government both eccle- " ſiaſtical and civil, ſhall, upon the demiſe of the king, " be veſted in a regent, for ſuch time as the duke of York " ſhall ſurvive. 3. That the regent be the princeſs of " Orange; and in caſe of her deceaſe without iſſue, or " with iſſue in minority, then the lady Anne. 4. That " if the duke have a ſon educated a proteſtant, then the " ſaid princeſſes reſpectively, ſhall ſucceed in the regen- " cy, during the minority of ſuch ſon, and no longer. " 5. That the regent do nominate the privy council, and " they to be, or not to be approved by parliament, as " ſhall be judged fafeſt, upon directing the drawing up " of this intended act. 6. That notwithſtanding theſe " kingdoms (out of reſpect to the royal family and mo- " narchy itſelf) may be governed by the ſaid regent, in " the name and ſtile of James the ſecond, &c. yet it ſhall " be made capital for any to take up arms on his behalf, " or by his commiſſion, not ſigned by the ſaid regent, or " granted by lawful authority derived from, and under " ſuch regent; or to maintain an opinion, that the retain- " ing the ſaid name and ſtile, ſhall in this caſe purge the

[r] It is to be obſerved, that the duke and his party declared themſelves more againſt the limitations than againſt the excluſion itſelf. Burnet, p. 468.

" diſa-

" diſabilities impoſed by this act, or elude the force there- 1681.
" of. 7. That commiſſioners be forthwith ſent to the
" prince and princeſs of Orange, to take their oaths, that
" they will take upon them the execution of this act, and
" that their oaths be here recorded. 8. That all officers,
" civil or military, forthwith take oaths to obſerve this act,
" from time to time, as in the act for the teſt. 9. That
" his majeſty would graciouſly declare to call a parliament
" in Scotland, in order to paſſing the like act there, and
" recommending the ſame, and the like to be done in Ire-
" land, if thought neceſſary. 10. That in caſe the ſaid
" duke ſhall come into any of theſe kingdoms, then ſhall
" he be ipſo facto excluded, and ſhall ſuffer as in the former
" bill, and the ſovereignty ſhall be forthwith inveſted in
" the regent, upon ſuch his coming into any of theſe king-
" doms. 11. That all conſiderable papiſts be baniſhed by
" name. 12. That all their fraudulent conveyances be de-
" feated. 13. That their children be educated in the pro-
" teſtant religion."

The houſe was ſo little inclined to the expedients to pre- Rejected.
vent the excluſion bill, that they found in them, however rigorous they were againſt the duke, more difficulties than in the bill itſelf. So, after divers fruitleſs debates, allowed only for form ſake, the houſe reſolved to adhere to the bill of excluſion, which had paſſed the commons in the laſt parliament, and this bill was ordered to be brought in the next Monday.

The commons had ſcarce finiſhed this great affair, when A difference between the two houſes. Debates, &c. p. 345.
they were told, the lords had rejected Fitz Harris's impeachment, and ordered that he ſhould be proſecuted at common law. Several members exclaimed againſt this pretended injuſtice, and its conſequences, and at laſt the houſe voted,

" 1. That it is the undoubted right of the commons in Votes of the commons. Kennet, p. 389. Echard, III. p. 622.
" parliament aſſembled, to impeach before the lords in par-
" liament, any peer or commoner, for treaſon, or any other
" crime or miſdemeanor. And that the refuſal of the lords
" to proceed in parliament upon ſuch impeachment, is a
" denial of juſtice, and a violation of the conſtitution of
" parliaments.

" 2. That in the caſe of Edward Fitz Harris, who by
" the commons had been impeached of high treaſon before
" the lords, with a declaration, that in convenient time,
" they would bring up the articles againſt him, for the lords
" to reſolve, that the ſaid Fitz Harris ſhall be proceeded

" with

1681. "with according to the courſe of common law, and not by "way of impeachment at this time, is a denial of juſtice, "and a violation of the conſtitution of parliaments, and an "obſtruction to the farther diſcovery of the popiſh plot, "and of great danger to his majeſty's perſon, and the pro- "teſtant religion.

"3. That for any inferior court to proceed againſt Ed- "ward Fitz Harris, or any other perſon lying under an im- "peachment in parliament, for the ſame crimes for which "he or they ſtand impeached, is a high breach of the pri- "vilege of parliament [s]."

The bill of exclusion read. Debates, &c. p. 351.

The 28th of March, the excluſion bill was brought into the houſe and read. After the reading, ſir Leoline Jenkins alone ſpoke againſt it. He repeated ſome of his former reaſons, as that this bill condemned a man unheard, was directly contrary to the wiſdom and juſtice of the nation, and tended to introduce a new form of government. "If (con- "tinued he) the duke will try to cut this law with his "ſword, if he overcome, he will have the ſame power to "ſet aſide all laws, both for religion and property; the "power will be in the hands of the conqueror, &c." Some railleries paſſed upon him for not being ſeconded, after which the bill was ordered a ſecond reading.

The parliament diſſolved. Burnet. Debates, &c.

The houſe of commons was reſuming the debate about Fitz Harris, when on a ſudden, the uſher of the black rod commanded their attendance in the houſe of lords, where they found the king in his robes, who told them—"He per- "ceived there were great heats between the lords and com- "mons, and their beginnings had been ſuch as he could ex- "pect no good ſucceſs of this parliament, and therefore "thought fit to diſſolve them." Accordingly, the chancellor declared the parliament diſſolved.

[s] The commons, it ſeems reſolving to take the management of Fitz Harris's affair out of the hands of the court, carried to the lords but an impeachment againſt him, which was rejected by the lords, on a pretence that the lord Nottingham furniſhed them with. It was this: Edward III. had got ſome commoners to be condemned by the lords. Of which when the houſe of commons complained, an order was made, that no ſuch thing ſhould be done for the future. Now that related only to proceedings at the king's ſuit: but it could not be meant, that an impeachment from the commons did not lie againſt a commoner. Judges, ſecretaries of ſtate, and the lord keeper were often commoners: ſo, if this was good law, here was a certain method offered the court to be troubled no more with impeachments, by employing only commoners. In ſhort, the peers ſaw the deſign of the impeachment, and were reſolved not to receive it. So they made uſe of this colour to reject it. Burnet, p. 498.

The

The king, who was prepared beforehand for what he had done, immediately took coach, and drove with all ſpeed to Windſor, and the next morning to Whitehall, ſeeming extremely pleaſed that he had thus made his eſcape from the deſigns of the commons. This parliament, which ſat but ſeven days, was the fifth and laſt of this reign. 1681. Kennet, p. 387. Echard, III. p. 623.

From this time, the king, during the reſt of his life, governed not only without a parliament, but with an abſolute power. When he ſaw himſelf out of the reach of the parliament, he entirely threw away the maſk of diſſimulation, and ſhowed, that the popiſh plot, the proſecution whereof he had lately recommended ſo earneſtly to the parliament, appeared to him but a mere chimera, or at leaſt, he did not think it near ſo dangerous as he would have had it believed. The four lords, priſoners in the Tower, whom he would have ſacrificed to the parliament, appeared innocent to him. But what was ſtill more remarkable, even to the end of this reign, was, that the king grew as ſanguinary, as he had hitherto appeared merciful, and that as ſoon as he had the power in his hands, he made his enemies feel the moſt terrible effects of his vengeance. In a word, he clearly diſcovered by his conduct, that he was entirely in the principles of deſpotick power, and had only diſſembled his ſentiments in his ſpeeches to his parliament, becauſe he judged ſuch diſſimulation proper to conduct him to the end propoſed to himſelf, from the firſt years of his reign. The king governs arbitrarily. Burnet. Echard, III. p. 223.

The reader muſt be aſtoniſhed to ſee a king, who had received ſo many mortifications from his parliaments, who had been ſo often obliged to comply and feign opinions he had not, on a ſudden become abſolute maſter of his kingdom, without fleet, without army, without foreign aſſiſtance, without money, but that of his ordinary revenue, after many years fruitleſs labours to accompliſh his deſigns. It is therefore abſolutely neceſſary to unfold the cauſes of ſo ſurpriſing a revolution.

By the artifices of the court, and the natural inclination of many Engliſhmen, the kingdom was divided into whigs and tories. This diviſion was ſo carefully fomented by the court and the popiſh party, that at laſt it became very great. To render the two parties irreconcilable, it was inſinuated to the epiſcopalians, of whom the majority were tories, that both church and monarchy were in danger, and that the ſcene of forty one was going to be revived. That the preſbyterians, under colour of providing for the preſervation of liberty, really intended the deſtruction of the church, and the introduction The cauſes which put the king into the poſſeſſion of abſolute power.

1681. duction of preſbyterianiſm, in order to which, they were purſuing the ſame courſe they had taken in 1640, and the following years, by undermining the foundations of the monarchy, for the more eaſy ſubverſion of the church. Theſe inſinuations had the greater effect, as what had once happened, and whereof the memory was ſtill freſh, might happen again; and I know not, whether it may not juſtly be doubted, that ſome of the preſbyterians had ſuch a thing in view. This was ſufficient to awaken the old animoſities between the church of England and preſbyterianiſm. The epiſcopalians, terrified with the proſpect of falling into the ſame ſtate, from which they had been almoſt miraculouſly delivered, conſidered the introduction of popery, with which they were alarmed, as a diſtant and uncertain evil, and the eſtabliſhment of preſbyterianiſm, as certain and preſent. It is even very probable, that many, whoſe paſſions were violent, looked upon popery as the leſs evil. In this belief, they threw themſelves as it were deſperately into the court party, without conſidering, that the duke of York, whoſe cauſe they eſpouſed, was no better affected to them than to the preſbyterians. Paſſion made them forget the intereſt of the proteſtant religion, in order not to be once more under the preſbyterian yoke. On the other hand, the three laſt parliaments, compoſed, as I obſerved of men well affected to preſbyterianiſm, proceeded with too little caution, and diſcovered too haſtily or too openly their deſigns with regard to religion. By that they gave the court party an opportunity of uniting with the epiſcopalians, and of joining together the intereſts of religion and the monarchy. From that time, the tories were ſo well pleaſed with this union, that they would never hear of ſeparating theſe two intereſts, but once, under James II. when there was no poſſibility of keeping them united, without endangering the conſtitution in church and ſtate. The whigs, on their ſide, having ſince perceived, what advantages the tories received from this union, ſeem to have moderated their pretenſions with reſpect to religion, contenting themſelves with procuring the preſbyterians a bare liberty of conſcience. But the tories not truſting to this moderation, conſider it as a ſnare and an artifice to ſeparate the intereſts of religion from thoſe of the ſtate; for in this union the ſtrength of the tory party wholly conſiſts. I have perhaps wandered a little too far from my ſubject, in ſpeaking of theſe two parties, with regard to what has happened ſince the reign of Charles II. But I hope the reader will not be diſpleaſed with this general idea. I return now to the

the tranſactions after the diſſolution of the Oxford parliament. 1681.

The proteſtants being thus divided, and the court ſtrengthened with the church, the tory party was compoſed of all the rigid epiſcopalians, mortal enemies of the preſbyterians, of all the papiſts, and thoſe to whom all religions were indifferent, and whoſe expectations were centered in the court. It may be affirmed, that the number of theſe laſt was never greater in England, the king having inceſſantly laboured to increaſe it, whether through inclination, or becauſe he depended on ſuch as his firmeſt friends. The whig party conſiſted of all the preſbyterians, and of ſome churchmen, who were more attached to the intereſts of the ſtate and the proteſtant religion in general, than to the church of England in particular. But the city of London was the chief ſtrength of this party, whoſe magiſtrates were entirely devoted to it. Things ſtanding thus, the king believed, he ſhould run no great hazard in diſſolving the Oxford parliament, reckoning, he had a party in the kingdom ſtrong enough to reſiſt, and even ſubdue his enemies, when they ſhould be no longer ſupported with the authority of a parliament. Mean while, not to alarm the nation by a too haſty diſcovery of his intentions as to his future government, he contented himſelf at preſent with publiſhing a declaration, containing his reaſons for diſſolving the two laſt parliaments. I ſhall not inſert the declaration here, becauſe every reader, who remembers what has been ſaid, will eaſily comprehend wherein conſiſted the king's complaints. I ſhall only ſay in a word, that the king ſuppoſed as undeniable, that he had no other aim than to procure the good of his people, and that the commons, actuated by a ſpirit of cabal and ſedition, only ſought to ſhake the foundations of the monarchy, and inveſt themſelves with arbitrary power, by all their proceedings, which he largely ſet forth. He poſitively declared, that no irregularities in parliaments ſhould ever make him out of love with them: and therefore he was reſolved to have frequent parliaments, and both in and out of parliament, to uſe his utmoſt endeavours to extirpate popery [t].

A declaration of the reaſons for diſſolving the two laſt parliaments. April. Kennet, p. 388. Echard, III. p. 624. Burnet.

Several pamphlets appeared, as well againſt the diſſolution of the parliament, as againſt the declaration. It was ſaid upon the firſt, that though the king pretended, that he diſ-

Pamphlets. Vindication of the laſt parliament, by ſir W. Jones, p. 393, 394.

[t] This declaration, however ſmooth and fair, was by no means popular. Some thought it nothing but a torrent of words. Others had a worſe opinion of it, as a ſtretch of prerogative, and a profeſſed inſult upon the late members of both houſes. Kennet, p. 389.

1681. ſolved the parliament on account of the votes paſſed the ſame day about Fitz Harris, yet the ducheſs of Mazarine publiſhed the news at St. James's many hours, before it was done. As to the declaration, it was ſaid to be of no validity, of French extract [u], and to have ſeveral manifeſt galliciſms in it, particularly that expreſſion [it was a matter extremely ſenſible to us] a form of ſpeech peculiar to the French, and unknown to any other nation. But the king little regarded ſuch libels [w].

Flattering addreſſes, Echard, III. p. 627. Burnet, p. 500.

The declaration having been publiſhed and read in the churches [x] by the king's order, addreſſes flowed from all parts, approving the diſſolution of the parliament, and in general, the king's whole conduct. Not content with thanking the king, theſe addreſſes were even filled with invectives againſt the late houſe of commons. One of theſe addreſſes [y] being preſented at the king's bench as a publick libel, by the grand jury of Middleſex, the court took no notice of it. We may eaſily judge who preſented theſe addreſſes, by what has been ſaid. They became ſo much in vogue, that the ſmalleſt corporations feared the reſentment of the court, if they neglected to addreſs. The king received them all very graciouſly, and diſtinguiſhed thoſe that brought them with particular marks of his favour. But as ſome of the other party ventured to preſent addreſſes of a very different ſtile, the king either refuſed, or received them, with evident ſigns of his diſpleaſure. Some of the aldermen and common council of London preſenting an agreeable addreſs, were received very kindly. But the lord mayor, recorder, and ſome others of the common council, waiting on him at Windſor, with a very different petition, were denied admittance, and ordered to attend the council at Hampton-court, where they received a reprimand from the lord chancellor. It was how-

favourably received by the king.

Who diſcourages any other.

[u] Though the king did not communicate this declaration to the council till April 8, yet mr. Barillon, the French ambaſſador, did not only read it to a gentleman the 5th of April, but adviſed with him about it, and demanded his opinion of it. Vindicat. &c. by ſir W. Jones, p. 394.

[w] The anſwer to the king's declaration, entitled, "A juſt and modeſt "vindication of the proceedings of the "two laſt parliaments," was writ with great ſpirit and true judgment. It was at firſt penned by Algernoon Sidney: but a new draught was made by John Somers, Eſq; and corrected by ſir William Jones. Burnet, p. 500.

[x] When this declaration paſſed in council, the archbiſhop of Canterbury moved that an order ſhould be added to it, requiring the clergy to publiſh it in all the churches of England. Accordingly, ſuch an order came out, dated April 8. This was looked upon as a moſt pernicious precedent, by which the clergy were made the heralds to publiſh the king's declarations, which in ſome inſtances might come to be not only indecent but miſchievous. Burnet, p. 500.

[y] That from Norwich, which ran the higheſt for the prerogative.

ever pretended, that theſe loyal addreſſes, as they were called, expreſſed the ſentiments of the people in general, tho' they came but from one of the parties. But what may make it preſumed, that the king did not much depend upon the people, notwithſtanding theſe numerous addreſſes which weekly filled the gazettes, is, that he never after dared to call a parliament to the end of his reign, a ſure ſign, that he feared the elections would not be favourable to him. For if theſe addreſſes had expreſſed the general ſenſe of the people, what could have hindered the king from calling a parliament, which, to judge by theſe addreſſes, muſt have been devoted to him. 1681.

The king was not ſatisfied with diſcouraging thoſe who would have preſented diſagreeable addreſſes to him, but alſo ſilenced and impriſoned the news-writers which were not of his party [z], while others had liberty to publiſh daily invectives againſt the whigs, and the late parliaments. Echard, III. p. 627.

Shortly after the diſſolution of the parliament, the king made Charles Lenos duke of Richmond, his ſon by the ducheſs of Portſmouth, knight of the garter at nine years of age. Laurence Hyde, eſq; was created viſcount Hyde of Kennelworth; and lord chancellor Finch earl of Nottingham. Promotions at court. April 7. 27. Kennet, p. 391.

Notwithſtanding the vote of the commons on the account of Fitz Harris, he was indicted of high treaſon at the king's bench bar, tried, condemned, and executed. It is pretended, that he confeſſed to the chaplain of the Tower, that there was a deſign laid by the proteſtant party to ſeize the perſon of the king, and impriſon him, till he had conſented to what ſhould be deſired of him, and that he mentioned many particulars. Others pretend, this confeſſion was forged [a], or only made to ſave his life. Indeed it is not eaſy to imagine, that ſo many proteſtants, engaged, as was pretended, in this plot, would communicate their deſigns to an Iriſh papiſt. Nor is it leſs difficult to conceive, why his execution was haſtened, ſince he might have ſerved for evidence of the plot, about which, however, there was no farther inquiry. Fitz Harris tried and executed. June 9. July 1. State trials, III. p. 261. Echard, III. p. 622. Burnet, p. 497, 504.

[z] Particularly the publiſhers of the paper called domeſtic intelligence, &c. The other papers here mentioned, containing invectives againſt the whigs, were, L'Eſtrange's obſervators, and Heraclitus Ridens.

[a] Fitz Harris was prevailed upon, through the management of dr. Hawkins miniſter of the Tower, to make this confeſſion. Hawkins was, for this good piece of ſervice done the court, rewarded with the deanery of Chicheſter, Burnet, p. 504.

1681. The ſame day that Fitz Harris was executed, Oliver Plunket, the popiſh titular primate of Ireland, ſuffered the ſame puniſhment for contriving, with the court of France, to raiſe an inſurrection in Ireland. Some pretend, he was condemned unjuſtly, and upon falſe evidence [b]. I know not what there is in it, but from this time forward no agreement is to be expected amongſt the hiſtorians, in the relation of the ſame facts. It is always with ſome addition, which plainly diſcovers the party they eſpouſe.

And Oliver Plunket: State trials, III. p. 291. Echard. Burnet.

Thus much is certain, that the king delayed not to be revenged of ſome of thoſe who had been againſt him. The earl of Shaftſbury was ſent to the Tower the beginning of July. He was now called the proteſtant earl, in deriſion of his having appeared more zealous than any other lord in ſupport of the proteſtant party, and from hence it may be eaſily judged, who gave him that name. The ſame day, the king alſo ſent to the Tower ſome perſons of a much inferior rank, as Rouſe, Hayns, White, and one Colledge a joyner of London, who had been very ſtrenuous for the whigs, while that party was ſupported by the parliament. He was alſo called the proteſtant joyner, for the name of proteſtant was become the nickname of thoſe who had moſt oppoſed the king and the papiſts. The adherents of the court, on the other hand, pretend, that the whig party in London, perceiving the court began to be revenged upon their enemies, had found means, with the aſſiſtance of Corniſh and Bethel, ſheriffs of London, and zealous whigs, to ſecure grand juries entirely at their devotion, ſo that, to defeat the efforts of the court, theſe juries were to return ignoramus upon all bills brought againſt any of the party, and therefore obtained the name of ignoramus. But we are not to require any proofs of this ſuppoſition. The hiſtorians of the court party content themſelves with affirming, as a thing beyond doubt, that the grand jury of London was reſolved to return ignoramus upon all bills againſt their friends, and we muſt take their word for it, though it ſeems to be ſupported only by the rumours of their own party.

The earl of Shaftſbury ſent to the Tower, July 2. Burnet. Kennet, p. 390. Echard, III. p. 634. and others.

The grand jury of London favourable to proteſtants. Ibid.

Ibid.

However, the court began their revenge with Colledge the joyner, and for that purpoſe a bill of indictment of high treaſon againſt him was delivered to the grand jury of London, who, not finding it well grounded, threw it out with

Colledge indicted of high treaſon. Acquitted.

[b] The witneſſes againſt him were brutal and profligate men, who had been cenſured by him for their lewdneſs. Burnet, p. 502.

an

an ignoramus [c]. This caused an universal joy in London, and was looked upon as a sort of triumph. But the court was resolved to proceed against Colledge with the utmost severity. For this purpose, on pretence of certain words said to be spoken by Colledge at Oxford, he was ordered to be removed to that city, and there tried and condemned. But not to be disappointed, as they had been at London, the king's council came to Oxford, and were shut up with the grand jury, till they had persuaded them to find the bill. This is at least a fact which has been often objected, and publickly and openly maintained, without having been denied. Be this as it will, Colledge was carried to Oxford, and tried at the assizes, upon the evidence of Dugdale and Turbeville, who had been the witnesses in the trial of the lord Stafford. It is not possible to read the particulars of this trial, the partiality of the judges [d], and the depositions of the witnesses, without discovering a settled design for the destruction of this man, who was condemned and executed as a traitor [e]. He died, protesting his innocence and ignorance of any plot but the popish. The court's resentment against this man shewed itself so manifestly, that he was considered as the first martyr for the protestant cause. The writers, even the most devoted to the court, dare not positively affirm, he was guilty. They content themselves with leaving the thing doubtful, after endeavouring however, by the turn they give to their account, to insinuate a belief that he was not innocent.

1681.

Removed to Oxford. Kennet, p. 389. Echard, III. p. 634. Hawles, p. 20. Burnet. Tried. August 17. State trials, III. p. 342.

Aug. 31. Hawles.

Echard.

The same day that Colledge was executed, dr. Oates was by order of council turned out of Whitehall, with a command not to come within the verge of the council chamber. Indeed, he was no longer wanted, at a time when not only the popish plot was ridiculed, but a design formed of being revenged on those who had been most zealous to support the belief of it, and of improving a new protestant plot.

Oates turned out of Whitehall. Echard, III. p. 637.

The time for electing the sheriffs of London being come, Thomas Pilkington and Samuel Shute, both whigs, were chosen in the room of Bethel and Cornish, which was very disagreeable to the court. But on Michaelmas day they had

New sheriffs and a lord mayor. Kennet, p. 391. Echard.

[c] Mr. Wilmore, the foreman, was, April 16, examined before the council, sent to the Tower, and afterwards forced to fly beyond sea. Kennet, p. 389. Hawles, p. 20.

[d] The judges were chief justice North, justice Jones, justice Raymond, and justice Levinz. Rapin says by mistake, that Jefferies was one of the judges, but he was only one of the king's council.

[e] The greatest hardship put upon him, was the taking away from him his memorandums, and instructions for his defence, just as he was coming to his trial. See his trial.

1681. the ſatisfaction to ſee ſir John Moor an addreſſer, choſen lord mayor.

At the ſeſſions for London, Rouſe, one of thoſe ſent to the Tower by the king, was indicted of high treaſon, and the grand jury found the bill ignoramus.

The lord Shaftſbury's bill not found. Nov. 24. State trials, t. II. Echard. Kennet.

It was the ſame with the earl of Shaftſbury. The king paſſionately wiſhed to be revenged of this lord, who for ſome time, had ſhewn him little regard. To this end, he granted a ſpecial commiſſion of oyer and terminer to all the judges of the kingdom to ſit, the 24th of November, with the lord mayor and aldermen, at the Old Baily, on the earl's trial. Eight witneſſes were heard againſt him, who depoſed upon oath many things from his own mouth, which diſcovered pernicious deſigns againſt the king's perſon. But the greateſt crime objected againſt him was, the copy of an aſſociation (found in his ſtudy) againſt the enemies of the king, of the proteſtant religion, and of their country f. But notwithſtanding the hopes conceived by the court, of being freed from this enemy, the grand jury, conſiſting of one and twenty of the principal citizens of London, conſidering that the paper, containing the aſſociation was only a copy, and not writ in the earl of Shafiſbury's hand, and obſerving very great improbabilities in the depoſitions of the witneſſes, found no ſufficient ground for the bill, and returned it ignoramus. Immediately the whole city teſtified their joy for the earl's deliverance, by bonfires in all the ſtreets, and other marks of ſatisfaction, and the witneſſes againſt him were in great danger of being torn in pieces by the mob g.

Burnet, p. 506.

The earl of Shaftſbury acquitted.

Great joy.

Affairs of Scotland. Kennet, p. 391. Burnet, p. 510. Echard, III. p. 645.

Before we finiſh this year, it will be neceſſary to mention the tranſactions in Scotland, where the duke of York, as the king's high commiſſioner, had opened the parliament the 28th of July. This parliament, very different from the two laſt held in England, took a quite contrary courſe, and paſſed ſeveral acts ſuch as the king deſired.

Acts in favour of the king and royalty. Life of James II.

By the firſt, they acknowledged, that the crown of Scotland is by inherent right, by the nature of monarchy, by the fundamental and unalterable laws of the kingdom, tranſmitted and devolved by lineal ſucceſſion, according to proximity of blood, and that no difference in religion, no

f This aſſociation was neither writ, nor marked in any place with the earl's hand. Burnet, p. 506.

g A medal was alſo ſtruck upon this occaſion, having on one ſide the earl's effigies; and on the reverſe, the ſun behind a cloud, darting his beams on the city of London. See Evelyn's numiſm. It was upon this occaſion that Dryden wrote his poem called, The Medal.

law,

law, no act of parliament, can alter or divert the right of succession, and lineal descent of the crown to the nearest and lawful heirs. This act made it high treason, either by word or writing, to endeavour to suspend, or alter, the right of succession. 1681.

By the second act, "all former laws for the security of "the protestant religion presently professed in that realm, "ratified;" by which all the laws made by James I. Charles I. and Charles II. against popery, were confirmed. To this act was annexed a test and oath to be taken by all officers in church and state [h]. This oath was drawn in such a manner, that it imposed a necessity of swearing directly against conscience, or, of being, as I may say, debarred the society of men. Accordingly, it was refused by most of the ministers, and a great number of the laity. But this was what the contrivers of the oath wanted, in order to have opportunity to persecute and destroy those, who, it was foreseen, would obstruct the designs of the court. Scotland was almost reduced to slavery, with regard to the government. Nothing was wanting, but the introduction of the popish religion, and for this the oath was intended, because it was thereby hoped to have opportunity of disabling the greatest enemies of popery from opposing this design. Archibald Campbel earl of Argyle, son of him beheaded at Edinburgh, was one of the refusers of this oath, unless he might take it with a reserve of his own explanation [i]. But this the duke of York would never allow him. Indeed these ambiguities had been purposely inserted to keep the rigid presbyterians from taking it. At last, he was arrested, imprisoned, and brought to a solemn trial, not only for refusing the oath, but for having dissuaded others from taking it; and for this new kind of treason, was condemned to lose his head. It is pretended, the king would have pardoned him; but this can only be said by conjecture. However, he found means to escape out of the castle of Edinburgh, and withdrew into Holland [k].

An oath imposed. R. Coke.

Life of James II. p. 53.

The earl of Argyle refuses it. Burnet, p. 512, &c. R. Coke, p. 274, &c. Echard, p. 646.

Is imprisoned, tried, and condemned. State trials, t. III.

Makes his escape.

It

[h] And by all that should be capable of electing, or being elected members of parliament. Burnet, p. 515. See this test in the life of king James II. 8vo. p. 53, and R. Coke, p. 276.

[i] See the case of the earl of Argyle in relation to the test or oath imposed by the Scotch parliament, p. 151, &c. of state tracts, vol. II. R. Coke, p. 276, and life of James II. p. 55.

[k] When the test was in debate, Argyle spoke zealously against the clause, whereby all the royal family were excepted out of it. He said, the only danger we could apprehend as to popery was, if the royal family should happen to be perverted; therefore he

1681-2. It appears from what has been ſaid, that the whig party moſtly conſiſted of profeſſed preſbyterians, or of men inclined to preſbytery, though they profeſſed the eſtabliſhed religion. That is to ſay, the times of James I. and Charles I. were returned, when every man who was not of the court party and a furious tory, was a preſbyterian. The king finding his authority ſufficiently eſtabliſhed ſince the diſſolution of the Oxford parliament, reſolved entirely to ruin his enemies the whigs, and conſequently the preſbyterians. To this end, he ordered, that the nonconformiſts ſhould be rigorouſly proſecuted, which diſcovered his motive for conveying away in the houſe of lords the bill to repeal the act of the 35th of Elizabeth, at the very time it was going to paſs into a law. For if this bill had not vaniſhed, no advantage could have been taken againſt the preſbyterians. This order of the king occaſioned a violent perſecution againſt the diſſenters. Since the diſſolution of the laſt parliament, all the magiſtrates, judges, juſtices of the peace, governours, and lord lieutenants, had been changed, and the moſt violent tories put in their places. It may eaſily be imagined, with what joy and zeal theſe men executed the laws againſt the preſbyterians, which had been ſuſpended for ſome years. The clergy particularly diſtinguiſhed themſelves by ſhowing their attachment to the principles and maxims of the court. The pulpits reſounded with the doctrine of paſſive obedience and nonreſiſtance, which had been eſpouſed by a few in the reign of Charles I. but was now univerſally preached. The clergy ſeemed to make it their buſineſs to ſurrender to the king all the liberties and privileges of the ſubjects, and to leave them only an unlimited obedience. According to the principles publickly preached, no eaſtern monarch was more

The Diſſenters are proſecuted. Burnet. Kennet, p. 392, 393. Echard, III. p. 649.

Paſſive obedience every where preached up.

thought it was better to have no act at all than ſuch a clauſe in it. For this reaſon, when he came to explain himſelf concerning the taking the teſt in his own ſenſe, his words were conſtrued as a defaming and a ſpreading of lies of the proceedings of parliament, which was capital. Accordingly he was tried and condemned. No ſentence, ſays Burnet, in our age, was more univerſally cried out upon than this. All ſpoke of it, and the duke who drove it on, with horror. All that was ſaid to leſſen the horror was, that duke Lauderdale had reſtored the family with ſuch an extended juriſdiction, that he was really the maſter of all the highlands. This, as the duke wrote to the king, was all he intended by it, as lord Halifax aſſured Burnet. Though a perſon of quality, whom lord Argyle never named, affirmed to him, on his honour, that he heard one in great favour ſay to the duke, the thing muſt be done, and that it would be eaſier to ſatisfy the king about it after it was done, than to obtain his leave for doing it. For which reaſon lord Argyle made his eſcape out of the caſtle in a diſguiſe. Burnet, p. 516, 520, 521.

abſolute

abſolute than the king of England. This doctrine was ſupported in the courts of juſtice, by all the judges and lawyers, to the utmoſt of their powerr All this was followed with numberleſs petitions and addreſſes, wherein the aſſociation, and the principles from which it flowed, were utterly abhorred. This aſſociation which had occaſioned the perſecution againſt the diſſenters, was but a chimera, and entirely founded on the paper found in the earl of Shaftſbury's cloſet, without even a poſſibility of knowing whether it was an original or a copy. But any man's thinking of aſſociating the ſubjects againſt the king, was ſufficient, according to the current principles, to charge the whole whig party, as guilty of the greateſt crime imaginable. I ſhall not tranſcribe theſe addreſſes. It ſuffices to ſay in a word, that they ſuppoſed the king of England as abſolute as it is poſſible to deviſe. Thus the violent tories who then prevailed in the corporations, were not ſatisfied with perſecuting the preſbyterians, but alſo made the king an arbitrary and abſolute monarch, as if there had been no other expedient to ſave the church of England from the attempts of the preſbyterians. 1681-2.

The duke of York returned from Scotland, the beginning of March, and was received by the king with all poſſible ſigns of affection. At the ſame time came a letter to the king from Scotland, ſubſcribed by ſeven biſhops, full of the duke of York's praiſes, and of the happineſs enjoyed by the church of Scotland, under his adminiſtration. So that it was not the fault of theſe prelates, that the duke, though moſt zealous for the popiſh religion, was not reſpected as the principal ſupport and protector of the proteſtant church. The duke of York returns. Kennet, p. 392. Echard, III. p. 653, 656.

After two months ſtay in England, the duke returned to Scotland to bring his family from thence. He went by ſea, but by an unexpected accident, the ſhip, though the weather was fair, ſtruck upon the ſand called the Lemon and Oar, and in a little time had above ſeven feet water in the hold. This obliged him to put off in his pinnace, with as many perſons as it would hold, and to ſave himſelf on board the Mary yatcht. It is pretended, he himſelf named the perſons whom he would have in the boat with him, and that ſome prieſts and jeſuits were preferred to ſeveral perſons of quality, who were unfortunately drowned, with a hundred and thirty ſeamen, the ſhip ſinking ſoon after the duke put off. But I will not warrant this circumſtance, which perhaps is only 1682. Goes back into Scotland, and runs a great danger. May 5. Burnet, p. 523. Kennet, p. 395. Echard. Life of James II. p. 67.

1682. only a report ſpread by his enemies [1]. The duke made but a ſhort ſtay in Scotland. He departed within a few days for England, where he continued, the reſt of this reign, with great influence over the actions and counſels of the king his brother. To him is generally aſcribed the rigour with which the king treated his enemies the remaining part of his reign. It is ſaid, the king being one day importuned by the duke to undertake things which he thought very dangerous, told him, "Brother, I am reſolved never to travel again, you may do "ſo, if you pleaſe."

Returns back to England, where he grows very powerful. Echard, III. p. 657.

Though, ſupported by the court and the magiſtrates, the tory party had the advantage, the whigs however were not diſcouraged, in the expectation of cauſing ſome turn by informing the people in pamphlets of their danger from the court. Theſe pamphlets were numberleſs, and new ones daily appeared, to attack or defend. That which made the greateſt noiſe was, the life of Julian the apoſtate, in which a parallel was drawn between that prince and the duke of York. The neceſſity of the excluſion was ſhown, and paſſive obedience exploded as a mahometan doctrine. This book did but exaſperate the patrons of paſſive obedience. They took occaſion from thence to carry the doctrine ſo high, that when, in the reign of James II. reſtrictions became neceſſary, they knew not how to make them, and many even perſiſted in ſupporting this doctrine, rather than own they had been in the wrong to carry it to ſuch a height.

Pamphlets againſt the court. Id. p. 658.

To demonſtrate, that to this time muſt be fixed the date of the birth, or at leaſt of the great progreſs, of the doctrine of paſſive obedience, it needs only to be conſidered, that the ſecond parliament of this reign, though chiefly compoſed of rigid church of England men, devoted entirely to the king, after having by acts eſtabliſhed ſuch principles as led to paſſive obedience, readily departed from it, when the court, as they believed, intended thereby to introduce an arbitrary government. This ſhows their deſign was not to eſtabliſh ſuch a government. But in 1682, the time I am ſpeaking of, theſe principles were not only preached,

A remark upon the doctrine of paſſive obedience.

[1] Burnet ſays, the duke got into a boat, and took care of his dogs, and ſome unknown perſons, who were taken, from that earneſt care of his, to be his prieſts. The long boat went off with very few in her, though ſhe might have carried off above eighty more than ſhe did, p. 623. What makes this account probable in the main, is, that the following perſons periſhed with the reſt, the earl of Roxborough, the lord Obryan, the laird of Hopton, ſir Joſeph Douglaſs, lieutenant Hyde the duke's brother-in-law. Echard, tom. III. p. 657. The duke, ſays Burnet, took no notice of this cruel neglect, which was laid chiefly to Legg's charge, p. 523.

but

but practiſed, and the king was thanked in publick and ſolemn addreſſes, for having eſtabliſhed an abſolute government. The pulpits rung with paſſive obedience, which was enforced from the poſitive declarations of God; and all the magiſtrates emulouſly ſtrove to reduce this doctrine to practice. The whigs on their part in their attacks of theſe ſtrange opinions, threw themſelves into the other extreme, and thereby gave their enemies room to accuſe them as ſubverters of monarchy. In ſhort, a kind of infatuation ſeized the kingdom, and one party, inſtead of coming to a temper, violently embraced whatever was moſt contrary to the other. 1682.

Great rage againſt the whigs. Echard, III. p. 658.

The animoſity againſt the whigs was then ſo exceſſive, that even in the adminiſtration of juſtice, the judges forgot common decency. The earl of Shaftſbury having brought his action of ſcandalum magnatum, againſt one mr. Cradock, the defendant's counſel alledged, "That there was no probability of a fair trial by a London jury, by reaſon that the earl was of the ſkinners company, of which ſheriff Pilkington was maſter, and that therefore the jury ought to be taken from ſome other place." The court of king's bench found this exception ſo juſt, that it was ordered, "That unleſs the earl would conſent to try his cauſe by a country jury, it ſhould not be tried in London." I know not whether ſuch an exception had ever been known or admitted before. Party rage appeared in all private affairs, ſo that judgments were formed not according to the right, but the principles of the parties.

The mayor and ſheriffs of London elected by the influence of the court. June 24. Kennet, p. 395. Burnet. Echard, III. p. 660.

Though the whigs had a great diſadvantage in the kingdom, they ſtill preſerved their ſuperiority in London, where almoſt all the magiſtrates were of their party; but they were not ſuffered long to enjoy them. Moor, the lord mayor, who had been an abhorrer, and was in the intereſts of the court, objected againſt the election of the ſheriffs, and afterwards of the lord mayor, who was to ſucceed him; and being ſupported by the privy council, prevailed, partly by force, and partly by conſent, to have new ſheriffs [m], and a new mayor elected of the king's party. This was a triumph for the court, and the earl of Shaftſbury was ſo ſenſible of it, that ſeeing himſelf like to be de-

The earl of Shaftſbury eſcapes into Holland. Id. p. 664.

[m] The two ſheriffs the court was for, were mr. North, and mr. Box. And thoſe ſet up by the majority of the city, were mr. Papillon, and mr. Dubois. Some conteſts aroſe upon this occaſion, for which the late ſheriffs and others were afterwards tried, as guilty of a riot. See ſtate trials, t. III. p. 542, &c.

priv'd

1682. prived of the protection of the city of London, he avoided the impending ſtorm, by a retreat into Holland. It was remarked, that he was forced to ſhelter himſelf under the protection of a republick, to which, when he was chancellor, and one of the cabal, he had applied that ſaying of Cato, delenda eſt Carthago.——He died ſix weeks after his arrival in Holland.

A deſign againſt London and other corporations.

The court having got a lord mayor and ſheriffs at their devotion, improved the advantage, and relying on the compliance of the magiſtrates, reſolved to annull the charter of London, and afterwards thoſe of all the other corporations in the kingdom. But this deſign was not executed till the next year,

In the mean time, the lord mayor and the ſheriffs of London, were very active againſt the preſbyterians, and executed the laws with great ſeverity. Moreover, to recommend themſelves the more to the court, they prevented the burning of the pope, as had been cuſtomary on the 17th of November [n].

Pilkington fined for words ſpoken againſt the duke of York. Nov. 24. Echard, III. p. 665. Burnet, P. 535.

The duke of York embracing ſo favourable a juncture, brought his action againſt the late ſheriff Pilkington, for theſe words, ſpoken by the defendant, "The duke of York "has fired the city, and is now come to cut our throats." The jury found for the duke, and gave him one hundred thouſand pounds damages. To ſuch height was party rage carried.

Before we finiſh the events of this year 1682, which was memorable only for the progreſs of the court and the tories, the downfal of the whigs, and the perſecution of the preſbyterians; I ſhall relate ſome other things which happened this year.

Mr. Thynne murdered.

Firſt, the murder of mr. Thynne, almoſt in the heart of the city, by count Coningſmark, for which his footman was hanged. As this is a private affair, I ſhall ſay no more of it.

Embaſſies.

This year the king received two extraordinary embaſſies, one from the king of Fez and Morocco, the other from the king of Bantam in the iſle of Java.

Deaths.

This year died, prince Rupert, count palatine of the Rhine, ſo often mentioned in the foregoing reign, ſixty three years of age; John Maitland duke of Lauderdale; Heneage Finch earl of Nottingham and lord high chancellor; and Anthony Aſhley Cooper earl of Shaftſbury.

[n] Queen Elizabeth's day.

On

On the other hand, the king created ſeveral peers °, amongſt the reſt, the duke of Ormond, an Iriſh duke, was promoted to the ſame dignity in England. 1682. Promotions.

Laſtly, the earl of Sunderland was reſtored to the office of ſecretary, upon the reſignation of earl Conway. Burnet, p. 531.

The king having had no extraordinary ſupplies from the parliament for ſome years, it would be aſtoniſhing that he ſhould at once become ſo good an œconomiſt, as to live upon his revenues, if it had not afterwards appeared, that he had contracted many debts, and thereby ſupplied in ſome meaſure the aids of money, which, on one pretence or other, he had uſed to receive from the parliament. The court purſued the ſame courſe, without any appearance of intending to uſe their new power for raiſing money upon the ſubject. It might ſeem ſtrange, that the king, in his preſent ſituation, did not ſummon a parliament, as well to repeal what had been enacted againſt him, as to get a ſupply of money. Pretences would not have been wanting. That was not the thing. But it ſeemed, that notwithſtanding the multitude of addreſſes, which were ſtill daily preſented, he did not confide in the affection of his people, and feared, that the elections would not be favourable to him. Indeed theſe addreſſes came but from one party, and the king knew, it was very poſſible to receive addreſſes from all the corporations in England, without being aſſured that the people in general were well affected. But as foreigners may not underſtand this, I ſhall briefly explain it. 1682-3. The king runs in debt. Reaſons which hindered the king from calling a Parliament.

England is almoſt all divided into communities, called corporations, which have each their privileges, obtained from the ſovereigns on certain conditions. There is ſcarce a town, which has not its magiſtrates and laws as a corporation. The mayor, or head of the corporation, the aldermen, the recorder, and other principal officers, are elected either by the whole community, or by a certain number of townſmen. It is eaſy therefore to apprehend, that the prevailing party may, without great difficulty, form a common council of their own principles, and it is this common council which manages the addreſſes preſented to the king, in the name of the whole corporation.

° Henry Somerſet marquis of Worceſter was created duke of Beaufort; Conyers lord Darcy earl of Holderneſs; Thomas lord Windſor earl of Plymouth; Horatio lord Townſhend viſcount Townſhend; ſir Thomas Thynne viſcount Weymouth; George Legg earl of Dartmouth; John Churchill (late duke of Marlborough) lord Churchill; and James Bertie earl of Abington, &c. Kennet, p. 369.

Provided

1682-3. Provided the ſuperiority of voices in the common council be for one of the parties, that ſuffices, if an addreſs be ordered, to ſay, it is in the name of the town or community, though all the other members ſhould be of a contrary opinion. But in chuſing repreſentatives, another method is taken. For then every burgeſs, every freeholder, has a right to give his vote, and conſequently repreſentatives of a contrary party to the magiſtrates and common council may very poſſibly be elected. This, probably, hindered the king from venturing to call a new parliament, for fear he ſhould not find his account in it. For the ſame voters who had choſen the members of the two laſt parliaments, would have had a right to vote for the members of a new one, which could not be advantageous to the court. The court therefore came to a reſolution of reſuming the charters of the corporations, and to grant others drawn in ſuch manner, that the king ſhould be almoſt enabled to cauſe ſuch repreſentatives to be choſen, as he pleaſed. It may be affirmed, there was no readier or more effectual way to invade at once the liberties of the nation, and cauſe the parliament itſelf to approve of the ſame.

The king goes to New-Market.

Till things ſhould be ripe for the execution of this deſign, or ſome favourable occaſion offer itſelf, the king reſolved to take the diverſions of Newmarket. He had ſcarce been there ſix days, when a fire broke out in the town with ſuch violence, that he was obliged to return to London ſome days ſooner than he deſigned. It was pretended afterwards, that there was, at this time, a plot againſt his life, to be executed at Newmarket, and which was prevented by the king's ſudden return, occaſioned by the fire. This accident was aſcribed to a particular providence preſerving the king, when he was in ſuch danger.

A Fire obliges him to return to London.

Sprat's hiſt. p. 74. Echard, III. p. 669.

1683. The king intending to be revenged on the old magiſtracy of London, which had oppoſed him for ſome years, iſſued out a commiſſion for trial of the authors of the diſorder at the election of ſheriffs the laſt year. This diſorder, in the commiſſion, was called a riotous and unlawful aſſembly, and aggravated as much as a thing of ſuch little moment could admit of. Fourteen aldermen and ſubſtantial citizens, the leaders of the whigs, were all tried and condemned in great fines [p].

Several aldermen tried for a riot.

May 8.

State trials, III. p. 541.

But

p Pilkington 500 l. Shute 1000 of Werk the ſame. Player 500 marks. Mark.. Cornith the ſame. Lord Grey Bethel 1000. Jenks 300. Deagle 400. Freeman

But the king ſtopped not here, though the new magiſtrates and common council took care to give him marks of their reſpect and zeal, by repealing ſeveral acts of the court of common council, made during the late troubles [q]. They likewiſe replaced, in its nich in the Royal Exchange, the ſtatue of Charles I. which had been taken down after his death. Nevertheleſs, this did not prevent a Quo Warranto from being brought by the king againſt the city, that is, an order to ſhow by what warrant they pretended to be a corporation, and enjoy the privileges mentioned in the writ. On ſuch occaſions, the corporation, againſt whom the Quo Warranto is ſent, produces the charter of their privileges, and the queſtion is to know, whether they have exactly obeyed the conditions and articles of their charter. If they have been faulty in any eſſential article, the court, before whom the affair is brought, may declare their privileges and charter forfeited. This rarely happens, becauſe a corporation is not wont to break their charter in eſſential articles, for fear of loſing it and if it is in a point of little importance, the court is ſatisfied with a fine to the king. This is the practice where juſtice, and a maintenance of the laws and cuſtoms of the kingdom are only intended. But, in the preſent caſe, the king's intention was not to maintain juſtice and the laws, but to take occaſion from the breach of ſome article of the charter, to ſeize the liberties of London into his hands, and render himſelf abſolute maſter of the government of that city. The preſent juncture was very favourable to his deſign, becauſe, ſince the diſſolution of the Oxford parliament, he had taken care to fill the courts of juſtice with judges devoted to him, and to theſe judges was committed the deciſion of the affair. 1683.

A Quo Warranto brought againſt the charter of London. Kennet, p. 399. Echard, III. p. 678. Burnet, p. 530, 535.

The king alledged two violations of the charter by the corporation of London. The firſt was the illegal exaction of tolls in the market, and particularly the raiſing money to rebuild Cheapſide conduit. The ſecond was the framing and printing a ſcandalous petition, wherein they charged the king with obſtructing the juſtice of the nation by proroguing

R. Coke, p. 312.

Freeman 300. Goodenough 500. Keys 100. Wickham 100. Swinock 500. And Jekyl 200. Kennet, p. 398.

[q] Particularly, the lord mayor and court of aldermen's negative vote was reſtored, and the lord mayor had power of chuſing one ſheriff, which is done at the Bridge feaſt, by the ceremony of drinking to the perſon deſigned.

1683. proroguing the laſt Weſtminſter parliament. This affair was argued ſolemnly on both ſides, and at laſt the judges of the king's bench declared, that the liberties and privileges of the city of London were forfeited, and might be ſeized into the king's hands. Nevertheleſs it was declared by the expreſs command of the king, "That judgment ſhould not be entered until his majeſty's pleaſure "ſhould be further known."

The charter declared forfeited. June 12. Burnet. Kennet, p. 399.

The city ſubmits to the king

Several reflections on this judgement were then, and ſtill are made, which are not to the honour either of the king or the court. However, the inhabitants of London were extremely ſurprized with the thing, and the common council aſſembled to conſult how to proceed in this exigency. Some were for having the judgment entered till an opportunity offered to procure a reverſal. But the court party inſiſted upon an abſolute ſubmiſſion to the king before judgment was entered, which was in effect a voluntary ſurrender of the privileges of the city into the king's hands, and a depriving it of the means to cauſe the ſentence one day to be repealed. This opinion was carried by a majority, and the king was waited on with a petition agreeable to this reſolution. The king anſwered by the lord keeper North, that he would reſtore the charter if the city would ſubmit to the following regulations,

June 18. Kennet. Echard, III. p. 673.

Conditions offered by the king.

1, That no lord mayor, nor any officer of the corporation, or ſteward of the borough of Southwark, ſhould be capable of, or admitted to the exerciſe of their reſpective offices, before his majeſty ſhould have approved them under his ſign manual.

2. That if his majeſty ſhould diſapprove the choice of any perſon to be lord mayor, &c. the citizens ſhould, within one week, proceed to a new choice: and if his majeſty ſhould in like manner diſapprove the ſecond choice, his majeſty might if he pleaſed, nominate a perſon to be lord mayor for the enſuing year.

3. The ſame with regard to the ſheriffs.

4. The lord mayor and court of aldermen might alſo, with the leave of his majeſty, diſplace any alderman, recorder, &c.

5. Upon the election of any alderman, if the court of aldermen ſhould judge and declare the perſon preſented to be unfit, the ward ſhould chuſe again; and upon a diſapproval of a ſecond choice, the court might appoint another in his room.

6. The

6. The juſtices of the peace were to be by the king's commiſſion; and the ſettling of theſe matters to be left to his majeſty's attorney and ſollicitor general, and council learned in the law. 1683.

By theſe articles, it is evident, the king was abſolute maſter of the government of the city, and by reſtoring their charter, effectually deprived them of their principal privileges.

Two days after, the common council met, and reſolved to ſubmit to the king, by a majority of eighteen voices [r]. The hiſtorians of the king's party ſpeak of this affair very ſlightly, pretending the city was juſtly puniſhed for their great provocations to the king of late years. But as to the conduct of the king and court, which occaſioned theſe provocations, they do not think proper to mention it, and ſo the whole blame lies upon the city. The city accepts them. Echard.

We are at laſt come to the pretended proteſtant plot, that is to ſay, formed by the proteſtants againſt the king and the duke. But as it is hard to conceive the agreement of this term, in a proteſtant country, with deſigns framed by proteſtants againſt papiſts, and as ſome gladly remove the idea of the king and duke of York's being papiſts, they rather chuſe to give it the name of the Rye-houſe-plot, from a houſe ſo called, in the road to Newmarket [s], where, it is pretended, the conſpirators had projected to kill the king and duke. I muſt not conceal, that as the former conſpiracy, called the popiſh plot, did then, and ſtill does, paſs for an invention, with the adherents of the court, ſo this had the ſame fate among thoſe who were, or ſtill are, of the contrary party. The hiſtory of this conſpiracy muſt therefore be read with great caution, ſince the hiſtorians are entirely divided, the one repreſenting as falſe, what the others aſſert as true. Were they both contented with relating the bare facts, giving for true thoſe that may be proved, as for falſe thoſe whoſe contrary cannot be proved, and for doubtful ſuch as are doubtful, the reader might be able to form ſome judgment. But their accounts are artfully laboured to prepoſſeſs the reader. A thouſand things are inſinuated which have no foundation but in their ſyſtem. The witneſſes are either knaves or honeſt men, as is moſt for their advantage. The conſpiracy in their recitals is ſup- The Rye-houſe plot. Burnet. Sprat. Sprat. Echard.

[r] Yeas 104. Noes 86. Echard, f. III. p. 674.

[s] Rye-houſe lies within two miles of Hoddeſdon in Hertfordſhire, and was then inhabited by Richard Rumbold.

1683. poſed true or falſe at pleaſure. Numberleſs circumſtances are inſerted to ſerve their purpoſe, without the leaſt proof or authority. So the reader, who is in ſearch of truth, finds himſelf at a loſs, it being impoſſible to enter into a particular examination of ſo many oppoſite things. Impartial readers content themſelves with leaving the matter undecided, becauſe they ſee no proofs ſtrong enough to determine their aſſent either way. Others, through prejudice in favour of one of the parties, or through lazineſs or indifference, implicitly follow the ſentiments of the hiſtorian, or abſolutely reject them.

To avoid therefore as much as poſſible the faults which I condemn, I ſhall ſuppreſs all inſinuations of the hiſtorians of both parties, and confine my ſelf to the depoſitions and defences of the accuſed, without adding any circumſtance which is not owned by both ſides.

Keeling's information in Sprat 8vo. Burnet, p. 544. Sprat's hiſt. p. 89.

This year, on the 12th of June, Joſiah Keeling diſcovered the conſpiracy, real or pretended, to the lord Dartmouth and ſecretary Jenkins, before whom he had made open confeſſion of the whole matter, and ſubſcribed his depoſitions. But afterwards, conſidering that his ſingle intelligence was not ſufficient, he prevailed upon Goodenough, that his brother John Keeling might be admitted into the next meeting of the conſpirators. This was done, and thereupon both the brothers gave in their joint teſtimony upon oath on the 14th of June.

It muſt be obſerved, that this circumſtance of the admiſſion of John Keeling into the ſecrets of the plot, manifeſtly ſuppoſes a conſpiracy. Accordingly it is only produced by thoſe hiſtorians who believe the reality of the plot.

In the ſecond place, the diſcovery of the plot being made by Joſiah Keeling, the 12th of June, and the depoſition of the two brothers being given in the 14th, it follows that, according to the firſt ſuppoſition, John Keeling had but one day to be informed of the ſecrets of this plot.

Burnet. p. 543, &c.

According to the two Keelings depoſitions, the plot conſiſted of three articles. 1. The conſpirators deſigned to ſecure the king's guards (but how this was to be executed does not appear;) then to block up or beſiege Whitehall, and ſeize the perſons of the king and duke of York. 2. To aſſaſſinate the king and the duke in a hollow way near the Rye-houſe, in their return from Newmarket. 3. To cauſe inſurrections in London, and other parts of the

the kingdom [t]. But the Keelings depoſed only againſt perſons of no note. 1683.

Upon this depoſition, the king publiſhed a proclamation for apprehending, colonel John Rumſey, Richard Rumbold maſter [u], Richard Nelthorpe Eſq; Edward Wade gent. Richard Goodenough gent. Capt. Walcot, William Thompſon, James Burton, and William Hone; for any of which a hundred pounds was offered to the diſcoverer. Upon the proclamation, colonel Rumſey ſurrendered himſelf the next day; and being examined by ſecretary Jenkins, he confeſſed all he knew; which confeſſion was next day confirmed by two others, mr. Weſt and mr. Sheppard: ſo that on the 28th of June, there came out a ſecond proclamation, for apprehending James duke of Monmouth, Ford lord Grey, ſir Thomas Armſtrong knight, and Robert Ferguſon. It is pretended, that when the Warrants were delivered to Legat the meſſenger, to ſeize Ferguſon with the reſt of the offenders, ſecretary Jenkins gave Legat a ſtrict command, not to take him, but to ſhun him where ever he met him. Shortly after, the lord Howard of Eſerick alſo ſurrendered himſelf, and upon his information, warrants for high treaſon were iſſued out againſt the earl of Eſſex, the lord Ruſſel, and others, who were taken up accordingly.

Sprat, p. 94. Burnet, p. 546. Kennet, p. 399. Ibid. p. 399.

This diſcovery brought addreſſes from all parts to congratulate the king. The ambaſſadors of foreign princes paid the ſame compliment; and the king of France offered five hundred Piſtoles for the apprehenſion of Monmouth, Grey, Armſtrong, or Ferguſon.

Addreſſes. Echard, III. p. 682.

The priſoners were not ſuffered long to languiſh. Walcot was firſt brought to his trial the 12th of July, and againſt him.

Walcot's trial.

Rumſey ſwore, "That the priſoner came to a meeting "at Weſt's chamber, where the deponent was preſent, "when a liſt was brought of the aſſaſſins, and agreed to "join with them, intending to command a party that "ſhould charge the guards: that he undertook to go and "view Rumbold's houſe, and bought a horſe for that pur-"poſe: that he was preſent at the dividing London into

Rumſey's Evidence. State trials, III. p. 600. Sprat, p. 140.

[t] And to maſſacre the magiſtrates of London, and the officers of ſtate. King's declaration, p. 6.

[u] Rumſey and Rumbold had ſerved in Cromwell's army. Rumſey going afterwards into Portugal, with the forces that ſerved there under the brave Schomberg, behaved courageouſly; and, by Schomberg's recommendation, got a place here in England. Burnet, p. 542.

1683. "twenty parts, in order to an inſurrection; and at the "conſult for buying of arms after the diſappointment at "the Rye-houſe: that he was at the meeting for carry- "ing on the conſpiracy on Thurday before the diſcovery; "and that, after it, they met at captain Tracy's, Wal- "cot's own lodging, the deponent being preſent."

Keeling's. State trials, p. 606. Keeling depoſed, "That Walcot was at the traiterous "aſſembly at the Salutation tavern, where the deponent "was called Culing, and a health drunk to the Engliſh "Culing; Weſt declaring, that Culing in Dutch was Kee- "ling in Engliſh, adding, he hoped to ſee Keeling at the "head of as good an army in Wapping, as they heard one "Culing was then at Cologn."

Bourn's. p. 607. Bourn ſwore, "That Walcot uſed to come to Fergu- "ſon when he lodged at his houſe; and that he and ſeve- "ral others met at the Dragon on Snow-hill, and often "at other places, in order to raiſe men, and divide the city "into twenty parts, for ſecuring the king and the duke: "that almoſt every time they met, at leaſt three times, p. 608. "the priſoner at the bar was there: that he was at the "laſt meeting at Tracy's, where they debated of ſtand- "ing with ſword in hand, and of killing Keeling for making "the diſcovery."

Weſt's. Ibid. Weſt teſtified, "That the priſoner upon the election "of the London ſheriff, aſked him, Will the people do no- "thing to ſecure themſelves? and acquainted him with "the inſurrection then deſigned within three weeks or a "month: that the earl of Shafteſbury was in the deſign, "and had engaged the priſoner: that he had an expecta- "tion of being a colonel of horſe; aſking the deponent, "Whether he would have any command under him? "That upon his refuſal, he deſired him to lend him a p. 610. "ſuit of ſilk armour: that the ſaid Walcot told him of "ſeveral deſigns to attack the king and the duke: that in "the buſineſs of the Rye-houſe, he undertook to com- "mand the party that was to ſet on the guards."

Walcot's letter produced. p. 613. Sprat. Appendix, p. 126. Beſides theſe witneſſes, there was a letter produced, under Walcot's own hand, to ſecretary Jenkins, in which he ſaid, "That if his majeſty deſired it, he would diſcover to "him all that he knew in England, Scotland, or Ireland, "which might be ſomething more than the original diſ- "coverer could acquaint him with, eſpecially as to Ireland: "that his intimacy with a Scotch miniſter, through whoſe "hands much of the buſineſs went, occaſioned his know- "ing very much, &c."

Walcot's

1683.

Walcot's defence consisted, first, of a plain denial of having any hand in the assassination; saying, "He knew "well enough, if he had undertaken to charge the guards, "while others killed the king, he was equally guilty with "those that killed him; but that he was sick of the gout "during the meetings, while the king was at Newmarket." To this West replied, "That he remembered it well, "by a good token, that the prisoner himself said, He was "afraid when the time came, he should not be able to "draw on his boots." Walcot added, "That he came "accidentally to their meetings only to hear news. That "what he had promised to discover, he had only heard "from Ferguson." In conclusion, he was brought in guilty of high treason by the Jury.

Walcot's defence. State trials, p. 615.

He is condemned.

A remark upon this trial.

Those who think this plot was only an artifice of the court, to destroy their chief enemies, observe, that the depositions of the witnesses against Walcot, and the other pretended conspirators, are all founded upon the supposition, that there was really a design to seize the king's guards, assassinate him and the duke, and raise an insurrection, and upon a previous narrative of this pretended conspiracy, supposed to be undeniable, to which the several depositions were adjusted, before the reality of the design was proved.

In the second place, they say, that these depositions are incoherent. For the conspirators must have had at the same time two contrary designs, one to secure the king's person, to oblige him to consent to their proposals, and the other to assassinate him; two designs which can hardly subsist together.

Their adversaries reply, it being proved by the depositions of the witnesses, that the accused had assisted at such and such meetings, where the king's assassination was mentioned, and having discoursed concerning the design, the supposition was sufficiently proved.

Trial of the lord Russel. p. 553. State trials, III. p. 629.

I shall not relate the trials of the other prisoners of little note, but confine myself to the lord Russel's son to the earl of Bedford. This lord being one of those against whom the court was most incensed, because he had proposed the exclusion bill in the house of commons and carried it up to the lords, he was tried the 12th of July at the Old Baily, before eight judges. He was very urgent for one day longer for his trial, because, as he said, he had witnesses that might come before night, but he was overruled. He then urged to have his trial deferred to the afternoon, but with

1683. no better ſucceſs. Three witneſſes depoſed againſt him, colonel Rumſey the evidence againſt Walcot, mr. Sheppard, and the lord Howard of Eſcrick.

Rumſey's depoſition. p. 636, 637.

1. Rumſey depoſed, "That in the end of October, or in the beginning of November 1682, there met at mr. Sheppard's houſe in Abchurch-lane, the duke of Monmouth, the lord Grey, the lord Ruſſel the priſoner, ſir Thomas Armſtrong, and Robert Ferguſon: that the earl of Shaftſbury deſired him to go to them thither, to know what reſolution they were come to about the riſing of Taunton; that he did go, and mr. Sheppard carried him up where they were, and he delivered his meſſage. That the anſwer was, mr. Trenchard had failed them, and there would be no more done in the matter, at that time: that there was at the ſame time a diſcourſe by all the company, about ſeeing what poſture the guards were in, that they might know how to ſurprize them: That ſome of them undertook to go and ſee: that the lord Ruſſel in particular did ſpeak about the riſing, and gave his conſent to it."

p. 638.

Sheppard's depoſition. p. 638, 639

2. Mr. Sheppard teſtified, "That in October laſt, Ferguſon deſired of him, in the duke of Monmouth's name, the conveniency of his houſe, for the meeting of ſome perſons of quality; and that the ſame day in the evening, the duke of Monmouth, the lord Grey, the lord Ruſſel, ſir Thomas Armſtrong, colonel Rumſey, and Ferguſon came; that they deſired to be private, and none of his ſervants to come up: that their diſcourſe was how to ſurprize the guards: that the duke of Monmouth, the lord Grey, and ſir Thomas Armſtrong, went one night to the Mews to view them: that the next time they came [x], Armſtrong ſaid, the guards were very remiſs, and the thing was feaſible: that they had two meetings of this kind at his houſe; that in one of them ſomething was read by Ferguſon in the nature of a declaration, ſetting forth the grievances of the nation in order to a riſing: that he could not poſitively ſay, that the lord Ruſſel was there when it was read; but the ſaid lord, the priſoner, was there when it was diſcourſed of ſeizing the guards."

The lord Howard's depoſition.

The lord Howard began his teſtimony, with a long ſtory about the plot in general, which ſeemed to be deſigned only to exaſperate the jury; after which he depoſed to this effect:

[x] The lord Ruſſel was never there but once. See Burnet, p. 537, 553.

ſect: "That after the earl of Shaftſbury's flight, the chief 1683.
"perſons concerned in the conſpiracy, in his time, began
"to conſider, they had gone ſo far, that it was unſafe for P. 639, 642.
"them to make a retreat; and that in ſo great an affair,
"conſiſting of ſuch infinite particulars, to be managed with
"ſo much fineneſs, it would be neceſſary to have ſome ge-
"neral council; and that therefore they reſolved to erect a
"cabal among themſelves, which uſually conſiſted of ſix
"perſons, the duke of Monmouth, the earl of Eſſex, the
"lord Ruſſel, colonel Sidney, mr. Hampden junior, and
"the deponent; and this was about the middle of January
"laſt. They met at mr. Hampden's houſe, where it was
"preſently agreed, their proper province was to take care
"of the inſurrection: that the chief things they debated
"were, whether that inſurrection ſhould begin firſt in Lon-
"don, or the country; then what counties and towns were
"the fitteſt, and moſt diſpoſed to action; then, what arms
"were to be got, and how to be diſpoſed; then, that it
"was neceſſary to have a common bank of twenty five,
"or thirty thouſand pounds, to anſwer the occaſions of ſuch
"an undertaking; but that the greateſt point was, to or-
"der it ſo, as to draw in Scotland into a conſent with them;
"becauſe it was requiſite, that all kinds of diverſion ſhould
"be given to the king's forces. That about ten days af-
"ter, every one of the ſame perſons met again at the lord
"Ruſſel's houſe: that they then came to a reſolution of
"ſending ſome perſons to the earl of Argyle, to ſettle a
"correſpondence with him, and that ſome meſſengers ſhould
"be diſpatched into Scotland, to invite ſome Scotchmen hi-
"ther, who beſt underſtood the ſtate of Scotland, to give
"an account of it: that the perſons determined to be ſent King's de-
"for, were ſir John Cockram, the lord Melvil, and one claration,
"of the name of Campbel: that colonel Sidney was in- p. 18.
"truſted to take care of a meſſenger; and he told the de-
"ponent, he had ſent Aaron Smith; then they agreed not
"to meet again till the return of the meſſenger, who was
"gone about a month before they heard any thing of him:
"that all this debate at the lord Ruſſel's went without con-
"tradiction, all there preſent giving their conſent: that as
"for raiſing of money, every one was put to think of ſuch
"a way, that money might be collected without giving
"cauſe of jealouſy. That, after all this, the deponent met
"no more with them; but, when he returned out of the
"country, he was informed, that Aaron Smith was come

1683. "back, and that ſir John Cockram was alſo come to "town."

p. 644. To all this the lord Ruſſel made anſwer, "That he "could not but think himſelf mighty unfortunate, to ſtand "charged with ſo high a crime, and that intermixed with "the treaſons, horrid practices and ſpeeches of other peo- "ple, while the king's council took all advantage, and "heightened things againſt him. That he was no lawyer, "a very unready ſpeaker, and altogether a ſtranger to "things of this nature: that he was ſenſible he was not "ſo provided to make his defence, as otherwiſe he ſhould "do; but he thought the gentlemen of the jury were men "of conſcience, that valued innocent blood, and hoped "they would conſider the witneſſes, that they ſwore to ſave
p. 643. "their own lives. That the two times they met, was up- "on no formed deſign, only to talk of news and things in "general: that the lord Howard having a voluble tongue, "they delighted to hear him diſcourſe: that he knew of no "ſuch council as ſix choſen, for who ſhould chuſe them?"

p. 644. As to colonel Rumſey, "He was notoriouſly known to "have been highly obliged to the king and the duke; and "it was ſtrange he ſhould be capable of ſuch a deſign as "to murder the king. That the time was elapſed by the "13th of the king, which limits proſecution to ſix months. "Neither was the deſign of levying war, treaſon, unleſs "it appeared by ſome overt act." And aſking upon what ſtatute he was indicted, he was told, "The ſtatute of the "25th of Edward the third." Upon which, he inſiſted up-
p. 645. on a matter of law, and particularly, "That the buſineſs "at mr. Sheppard's houſe was ſworn to only by one witneſs." To which he was anſwered, "That if there were one "witneſs of one act of treaſon, another of a ſecond, and an- "other of a third, that manifeſted the ſame treaſon, it was "ſufficient."

p. 646. For a further defence of his lordſhip, there appeared for him the duke of Somerſet, the earl of Angleſey, mr. Edward Howard, the lord Cavendiſh, the lord Clifford, doctor Tillotſon, doctor Burnet, doctor Cox, doctor Fitz Williams, mr. Luton Gore, and mr. Spencer. Some of theſe
Burnet, p. 546, 554. teſtified, that the lord Howard, before he was taken, declared, "He believed the lord Ruſſel innocent, and knew "nothing againſt him." Others ſpoke to his lordſhip's private character, and declared his great worth and probity, his virtuous and ſober life, and conſequently the improbability of his being thus engaged. But this was turned againſt him

by

by the king's council, who ſaid, there could not be any more dangerous enemies to a ſtate, than ſuch as come ſober to endeavour its deſtruction. 1683.

As to what concerned the lord Howard's ſaying, he believed the priſoner innocent, it was anſwered by that lord himſelf, who confeſſed, "He had ſaid ſo, being then himſelf not accuſed, ſo that he intended to outface the thing both for himſelf and the party; but now, his duty to God, the king, and his country required it, he muſt ſay the truth; and that though the council of ſix were not choſen by any community, yet they did erect themſelves by mutual agreement one with another into that ſociety." State trials, p. 648.

In concluſion, the jury brought him in guilty of high treaſon. This ſentence was conſidered by all, who had any ſenſe of ſhame left, as the moſt crying injuſtice ever known in England. For the lord Ruſſel was condemned for words ſpoken in his hearing, which in England can never paſs for treaſon. The lord Howard ſo loſt his reputation, for being acceſſary to this injuſtice, that he was looked on with horror by honeſt men, who avoided his company, as aſhamed or afraid to be ſeen with him. Some ſay, he had made his peace with the king a little before, by the mediation of the ducheſs of Portſmouth, and by an engagement to ſerve as a witneſs againſt the pretended conſpirators. He is condemned. July 14.

But that which was believed to have very much influenced the jury againſt the lord Ruſſel, was, that in the very time of his trial, the earl of Eſſex, priſoner in the Tower, was found dead in his chamber, with his throat cut from ear to ear with a razor. The news was immediately brought to the Old Baily, and communicated to the judges and the king's council, who from thence took occaſion to inſinuate to the jury the reality of the plot [y], ſince the earl of Eſſex rather choſe to lay violent hands on himſelf, than ſtand a trial. The earl of Eſſex found with his throat cut in the Tower. Burnet, p. 553, 554. Kennet, p. 400. Echard, III. p. 688.

Though the coroner's inqueſt, after an examination of the dead body, found the earl Felo de ſe, this was not capable to remove the ſuſpicion entertained by moſt people, that this fact was committed by the order of the king and duke, who were in the Tower that very morning, where they had not been for twelve years before. It was beſides urged, that The king and the duke ſuſpected of this murder. Speke's enquiry. Burnet, p. 569.

[y] The evidence againſt my lord Ruſſel being very defective, that accident was to help it out, as mr. Hawles rightly obſerves. Remarks, p. 63.

1683. it was not poſſible for a man to cut his own throat from ear to ear. Several other circumſtances were added, of which it is not eaſy to diſcover the truth. It is pretended, that in the blood ſprinkled on the floor of the room, were diſcovered the marks of a ſtrange foot; and that after the deed was done, the razor was thrown out of the window, and pickt up by a little girl. That before the coroner came to inſpect the body, care was taken to ſtrip and leave it naked, and to waſh the room. That the coroner demanding to ſee the cloaths, was anſwered, it was his buſineſs to examine the body, and not the cloaths. What has been moſt plauſibly urged, in vindication of the king and duke from this horrid action, is, that perſons of credit have teſtified their frequent hearing the earl of Eſſex declare, that ſelf murder was no ſin. It is further added, that his counteſs and ſir Henry Capel his brother owned the juſtice of the coroner's verdict. But had they believed the contrary, this was no proper time to diſcover their ſuſpicions. I am very certain, the laſt earl of Eſſex, his ſon, was of another opinion, and have heard him ſay, he believed his father was murdered, and that a French footman, who then ſerved his father, was ſtrongly ſuſpected and diſappeared immediately after the fact. Be this as it will, the general opinion then was, and ſtill is, that this unfortunate nobleman fell a ſacrifice to the revenge of the king and the duke. This ſeems the leſs ſtrange, as among thoſe who declared moſt openly for their country, againſt the king and duke, the earl of Eſſex was not the only perſon who felt the effects of their reſentment. The king however publickly declared in print, that he was deeply afflicted for the earl of Eſſex's death, becauſe he was thereby deprived of an opportunity to exerciſe his clemency, and teſtify, how highly he valued the memory of the lord Capel. But, inſtead of convincing the publick by this external demonſtration, it was by many imagined, that the king mentioned the lord Capel, only to inſinuate, how much the earl his ſon had deviated from his ſteps.

R. Coke, p. 315.

Echard, III. p. 689.

Kennet, p. 400. Echard, III. p. 689.

Beſides the lord Ruſſel condemned for this plot, two others alſo met with the ſame fate, namely, Hone a joyner, and John Rouſe. This laſt had been indicted for treaſonable words, and eſcaped by an ignoramus jury. But he was re-taken, and tried for the ſame crime, which did not properly belong to this plot, but to his having talked of the king in treaſonable terms. Hone and Rouſe were both condemned as traitors, and executed with Walcot, the 20th

Walcot, Hone and Rouſe executed.

of

of July. They confeſſed, they had heard of a plot in general, but deſcended not to particulars. At leaſt, it did not appear, that the lord Ruſſel had any correſpondence with them. 1683.

The next day, the lord Ruſſel was alſo executed [z]. He was ſo univerſally eſteemed, that it could not be thought, the king would refuſe his pardon, which was begged by ſo many powerful relations. It is even ſaid, the earl of Bedford his father, offered a hundred thouſand pounds for his life, but his offer was rejected. The king would not ſo much as grant a reprieve of ſix weeks to his lady, though daughter of the earl of Southampton, but made her this anſwer, "Shall I grant that man ſix weeks, who, if it had "been in his power, would not have granted me ſix "hours?" Every one however was perſuaded, that if there was a deſign to kill the king, the lord Ruſſel was not concerned in it. Beſides that he denied it with his laſt breath, he was not condemned for that crime, and the witneſſes which depoſed againſt him ſaid nothing like it. And yet, the king, to have an excuſe for refuſing a ſhort delay, ſuppoſed that this crime was fully proved. It cannot be denied, that though the lord Ruſſel had been guilty of the crime for which he was condemned, namely, of giving a tacit conſent to the deſign of an inſurrection, the king could never have had an opportunity of exerciſing his clemency with more applauſe, to a man of ſo known virtue, near relation of the greateſt families in the kingdom. But all theſe conſiderations were weak, againſt the paſſion of revenge with which the king and the duke of York were actuated. The lord Ruſſel had been one of the warmeſt oppoſers of the duke of York, had joined the earls of Shaftſbury and Eſſex, and carried up the excluſion bill to the houſe of lords. Theſe were crimes not to be forgiven by the king and his brother. But perhaps moſt of my readers, after having peruſed the tranſactions of this reign, will not think it ſo enormous a crime to endeavour to oppoſe an arbitrary power, which was beginning to be introduced. He died with great reſolution, proteſting his innocence and ig-

Lord Ruſſel executed. Id. p. 667. Burnet, p. 555, 560. Echard, III. p. 691.

[z] He was beheaded, July 21, on a ſcaffold erected in Lincoln's-Inn-fields. There were ten companies of the king's guards, and a troop of horſe, drawn up, to prevent any diſturbances that might ariſe at the ſight of ſo moving and melancholy a ſpectacle. Echard, t. III. p. 693.——In the duke of Monmouth's journal, it is ſaid, that the king told him, "He inclined to "ſave the lord Ruſſel, but was forced "to conſent to his death, otherwiſe he "muſt have broke with his brother, the "duke of York." See Kennet, p. 406.

norance

1683. norance of any design against the king's person, or of any contrivance to alter the government. As it was expected that he would be interrupted, he spoke but little on the scaffold, leaving in the hands of the sheriff a paper, in which he protested his innocence, and said, "That he died a "true and sincere protestant, and in the communion of "the church of England, though he could never yet "comply with, or rise up to all the heights of some peo-"ple."

Kennet, p. 400.

Trial of Algernoon Sidney. Burnet. Echard, III. p. 697. State trials, III. p. 710.

For a conclusion to this tragedy, it remains only to speak of the condemnation and execution of colonel Algernoon Sidney, who was accused of the plot, and of the design to kill the king. He was brother to the earl of Leicester, and, in the late troubles, had been deeply engaged in the republican party. At the restoration he thought not fit to accept personally of the indemnity, whether in distrust of the king or for some other reason. At last, in 1677, he obtained a particular pardon of the king, and returned to England, where he joined the country party, at which the king was extremely offended.

Depositions against him. Nov. 21. p. 715, 716.

Four witnesses were produced against him, Rumsey, West, Keeling, and the lord Howard of Escrick. The three first contented themselves with giving a particular account of the plot, but said nothing directly against the prisoner. He complained of it as a great hardship, as prepossessing the jury. The lord Howard deposed, as before at the trial of the lord Russel, that colonel Sidney was one of the council of six, and had sent Aaron Smith into Scotland, to engage the Scots in a rebellion.

His defence. p. 721.

His defence was, first, the great improbability of erecting a council of six; and that persons so little knowing one another, should presently fall into so great and intimate a friendship. As to the duke of Monmouth, he said, he never spoke with him above three times in his life; and one time was, when lord Howard brought him to his house and cozened them both; for he told the duke, that colonel Sidney had invited him, and he told the colonel, that the duke invited himself, and neither of them was true.

Burnet, p. 539.

State trials, III. p. 722.

He enlarged upon the ill reputation of the lord Howard, and his varying his evidence with respect to the lord Russel's, and the present trial. He alledged the lord Howard's indigence, and his owing him money, which debt might probably be cancelled by his conviction. He proved, by the testimonies of the earls of Clare and Anglesey, of mr. Philip and mr. Edward Howard, dr. Burnet, mr. Ducas, and mr. Blake,

p. 724.

Blake, that the lord Howard had confeſſed, "That he could "not get his pardon until he had done ſome other jobs, till "he was paſt the drudgery of ſwearing." 1683.

During the whole trial, the judges themſelves undertook to anſwer the reaſons of the accuſed, without leaving any thing for the king's council to do. But they anſwered not the objection drawn from the confeſſion of lord Howard, nor did he himſelf make any reply. So that the deſign of the court to furniſh the jury with reaſons to condemn the priſoner, manifeſtly appeared. Partiality of the judges.

But what was moſt urged againſt him, was a manuſcript found among his papers. It was an anſwer to a book, compoſed by ſir Robert Filmer, to prove, that, by the laws of God and nature, kings, and particularly thoſe of England, were inveſted with abſolute and unlimited power. Sidney, in his anſwer to this book, had aſſerted a quite contrary doctrine, and carried his republican principles to a very great height. One of his own manuſcripts produced againſt him. P. 719.

He ſaid firſt, that the manuſcript was not writ by him, and he ſaw no reaſon for aſcribing it to him. That though he was the author, it might be writ many years ago in anſwer to Filmer's book, with no intention of publiſhing it, but diſputandi gratia, only for private diverſion, and the exerciſe of his pen. In fine, he inſiſted very much upon the neceſſity of two witneſſes to the ſame fact. The court, as I ſaid, anſwered all his objections, but it plainly appears, it was with wretched cavils and ſubtilties. To the manuſcript it was anſwered, that ſcribere eſt agere, and that there was ſufficient in it to prove the malice of his heart, and his treaſonable deſigns. I know not whether the Engliſh lawyers are agreed in this maxim [a]. However, he was brought in guilty by the jury. It is pretended, this was the firſt time a man was accuſed of treaſon, and condemned to die, for writing any thing without publiſhing it. P. 721, 723, 728. P. 733. He is condemned,

He was beheaded the 7th of December, without diſcovering the leaſt weakneſs. Inſtead of a ſpeech on the ſcaffold, he delivered a writing to the ſheriff, in which he complained bitterly of the injuſtice done him. He repreſented the infamous life of the lord Howard, and the judges, as men corrupted and only promoted to ſerve the deſigns of the court. and beheaded. State trials, III. p. 7, 8. Kennet, P. 404. Burnet.

[a] Finch aggravated the matter of the book, as a proof of his intentions, pretending it was an overt act, for he ſaid, ſcribere eſt agere. Burnet, p. 572.

While

1683. While theſe pretended conſpirators were vigorouſly proſecuted, the univerſity of Oxford diſtinguiſhed themſelves
July 21. in a particular manner, amongſt the advocates for the court, by a condemnation in form of twenty ſeven propoſitions, collected out of ſeveral modern authors, concerning the re-
July 24. gal power. This decree was preſented to the king with great ſolemnity, and very graciouſly received. In the decree itſelf will appear the ſentiments of the univerſity at that time.

The Oxford decree. Kennet, P. 411, &c.

The judgment and decree of the univerſity of Oxford, paſſed in the convocation, July 21. 1683, againſt certain pernicious books, and damnable doctrines, deſtructive to the ſacred perſons of princes, their ſtates and government, and of all human ſociety [b].

"ALthough the barbarous aſſaſſination lately enterprized "againſt the perſon of his ſacred majeſty and his royal brother, engage all our thoughts to reflect with the utmoſt deteſtation and abhorrence on that execrable villany, "hateful to God and man, and pay our due acknowledgments to the divine providence, which by extraordinary "methods brought it to paſs, that the breath of our noſtrils, "the anointed of the lord, is not taken in the pit which "was prepared for him; and that under his ſhadow we "continue to live, and enjoy the bleſſings of his government; yet notwithſtanding, we find it to be a neceſſary "duty at this time to ſearch into, and lay open thoſe impious doctrines, which having of late been ſtudiouſly diſſeminated, gave riſe and growth to theſe nefarious attempts; "and paſs upon them our ſolemn publick cenſure, and decree of condemnation.

"Therefore, to the honour of the holy and undivided "trinity, the preſervation of catholick truth in the church, "and that the king's majeſty may be ſecured both from the "attempts of open bloody enemies, and machinations of "treacherous hereticks and ſchiſmaticks: we the vice chancellor, doctor, proctors, and maſters, regent and non regent, met in convocation, in the accuſtomed manner, "time, and place, on Saturday the one and twentieth day

[b] This decree was drawn up by dr. Jane of Chriſt-Church, who upon it was made dean of Glouceſter. He joined in the revolution, which gave occaſion to this epigram.

Decretum figis ſolenne, decanus ut eſſes,
Ut fieres præſul, Jane, refigis idem.

"of

" of July, in the year 1683, concerning certain propoſiti- 1683.
" ons contained in divers books and writings, publiſhed in
" the Engliſh, and alſo the Latin tongues, repugnant to the
" holy ſcriptures, decrees of councils, writings of the fa-
" thers, the faith and profeſſion of the primitive church, and
" alſo deſtructive of the kingly government, and ſafety of
" his majeſty's perſon, the publick peace, the laws of nature,
" and bonds of human ſociety; by our unanimous aſſent
" and conſent, have decreed and determined in manner and
" form following.

" I. All civil authority is derived originally from the
" people.

" II. There is a mutual compact, tacit or expreſs, be-
" tween a prince and his ſubjects; and that if he perform
" not his duty, they are diſcharged from theirs.

" III. That if lawful governours become tyrants, or go-
" vern otherwiſe than by the laws of God and man they
" ought to do, they forfeit the right they had unto their
" government. Lex rex. Buchan. de jure regni. Vindi-
" ciæ contra tyrannos. Bellarum. de conciliis, de pontifice.
" Milton. Goodwin. Baxt. H. C.

" IV. The ſovereignty of England is in the three eſtates,
" viz. king, lords, and commons. The king has but a co-
" ordinate power, and may be over-ruled by the other two.
" Lex rex. Hunton. Of a limited and mixed monarchy.
" Baxter's H. C. Polit. Catechiſ.

" V. Birth-right and proximity of blood give no title to
" rule or government; and it is lawful to prelude the next
" heir from his right and ſucceſſion to the crown. Lex rex.
" Hunt's poſtſcript. Doleman's hiſtory of ſucceſſion. Juli-
" an the apoſtate. Mene Tekel.

" VI. It is lawful for ſubjects, without the conſent, and
" againſt the command of the ſupreme magiſtrate, to enter
" into leagues, covenants and aſſociations, for defence of
" themſelves and their religion. Solemn league and cove-
" nant. Late aſſociation.

" VII. Self-preſervation is the fundamental law of na-
" ture, and ſuperſedes the obligation of all others, whenſo-
" ever they ſtand in competition with it. Hobbes, de cive;
" leviathan.

" VIII. The doctrine of the goſpel, concerning pati-
" ent ſuffering of injuries, is not inconſiſtent with violent
" reſiſting of the higher powers, in caſe of perſecution
" for religion. Lex rex. Julian the apoſtate. Apologet.
" relat.

" IX. There

1683. " IX. There lies no obligation upon chriſtians to paſ-
" ſive obedience, when the prince commands any thing
" againſt the laws of our country; and the primitive chriſ-
" tians choſe rather to die, than reſiſt, becauſe chriſtianity
" was not ſettled by the laws of the empire: Julian the
" apoſtate.

" X. Poſſeſſion and ſtrength give a right to govern;
" and ſucceſs in a cauſe or enterprize, proclaims it to be
" lawful and juſt: to purſue it, is to comply with the
" will of God, becauſe it is to follow the conduct of his
" providence. Hobbes. Owen's ſermon before the regi-
" cides, Jan. 31. 1648. Baxter. Jenkins's petition, Octob.
" 1651.

" XI. In the ſtate of nature there is no difference be-
" tween good and evil, right and wrong: the ſtate of na-
" ture is a ſtate of war, in which every man hath a right
" to all things.

" XII. The foundation of civil authority is this natural
" right, which is not given but left to the ſupreme magi-
" ſtrate, upon men's entering into ſocieties: and not only a
" foreign invader, but a domeſtick rebel, put himſelf again
" into a ſtate of nature, to be proceeded againſt, not as a
" ſubject, but an enemy; and conſequently acquires by his
" rebellion the ſame right over the life of his prince, as the
" prince for the moſt heinous crimes has over the life of his
" own ſubjects.

" XIII. Every man, after his entering into a ſociety,
" retains a right of defending himſelf againſt force; and
" cannot transfer that right to the commonwealth, when
" he conſents to that union whereby a commonwealth is
" made: and in caſe a great many men together have al-
" ready reſiſted the commonwealth, for which every one
" of them expected death, they have liberty then to join
" together to aſſiſt and defend one another: their bearing of
" arms, ſubſequent to the firſt breach of their duty, though
" it be to maintain what they have done, is no new unjuſt
" act; and if it be only to defend their perſons, it is not
" unjuſt at all.

" XIV. An oath ſuperadds no obligation to pacts, and
" a pact obliges no further than it is credited, and conſe-
" quently, if a prince gives any indication, that he does
" not believe the promiſes of fealty and allegiance made
" by any of his ſubjects, they are thereby freed from their
" ſubjection; and notwithſtanding their pacts and oaths,

" may

" may lawfully rebel againſt, and deſtroy their ſovereign. 1683.
" Hobbs de civ. leviathan.

" XV. If a people, that by oath and duty are obliged to " a ſovereign, ſhall ſinfully diſpoſſeſs him, and, contrary to " their covenants, chuſe and covenant with another; they " may be obliged by their latter covenants, notwithſtanding " their former. Baxter's H. C.

" XVI. All oaths are unlawful, and contrary to the word " of God. Quakers.

" XVII. An oath obligeth not in the ſenſe of the impoſers, " but the takers. Sheriff's caſe.

" XVIII. Dominion is founded in grace.

" XIX. The powers of this world are uſurpations upon " the prerogative of Jeſus Chriſt; and it is the duty of " God's people to deſtroy them, in order to the ſetting " Chriſt upon his throne. Fifth monarchy men.

" XX. The preſbyterian government is the ſcepter of " Chriſt's kingdom, to which kings as well as others are " bound to ſubmit, and the king's ſupremacy in eccleſia- " ſtical affairs, aſſerted by the church of England, is in- " jurious to Chriſt, the ſole king and head of the church. " Altare damaſcenum. Apologet, relat. hiſt. of indulgences. " Cartwright. Travers.

" XXI. It is not lawful for ſuperiors to impoſe any " thing in the worſhip of God that is not antecedently ne- " ceſſary.

" XXII. The duty of not offending a weak brother, is " inconſiſtent with all human authority of making laws con- " cerning indifferent things. Proteſtant reconciler.

" XXIII. Wicked kings and tyrants ought to be put " to death; and if the judges and inferior magiſtrates " will not do their office, the power of the ſword devolves " to the people: if the major part of the people refuſe to " exerciſe this power, then the miniſters may excommu- " nicate ſuch a king: after which it is lawful for any of " his ſubjects to kill him, as the people did Athaliah; and " Jehu, Jezabel. Buchanan. Knox. Goodman. Gilby. " Jeſuits.

" XXIV. After the ſealing of the ſcripture canon, the " people of God, in all ages, are to expect new revela- " tions for a rule of their actions; and it is lawful for a " private man, having an inward motion from God, " to kill a tyrant. Quakers, and other enthuſiaſts. Good- " man.

1683. "XXV. The example of Phineas, is to us inſtead of a "command: for what God hath commanded or approved "in one age, muſt needs oblige in all. Goodman. Knox. "Napthali.

"XXVI. King Charles I. was lawfully put to death; "and his murderers were the bleſſed inſtruments of God's "glory in their generations. Milton. Goodwin. Owen.

"XXVII. King Charles the firſt made war upon his "parliament: and in ſuch a caſe, the king may not only "be reſiſted, but he ceaſeth to be king. Baxter.

"We decree, judge, and declare, all and every of theſe "propoſitions to be falſe, ſeditious, and impious; and moſt "of them to be alſo heretical and blaſphemous; infamous "to the chriſtian religion, and deſtructive of all govern-"ment in church and ſtate.

"We further decree, that the books which contain the "aforeſaid propoſitions, and impious doctrines, are fitted to "deprave good manners, corrupt the minds of uneaſy men, "ſtir up ſeditions and tumults, overthrow ſtates and king-"doms, and lead to rebellion, murder of princes, and "atheiſm itſelf. And therefore we interdict all members of "the univerſity from the reading of the ſaid books, under "the penalties in the ſtatutes expreſſed. We alſo order the "before recited books to be publickly burnt by the hand of "our marſhal, in the court of our ſchools.

"Likewiſe we order, that in perpetual memory hereof, "theſe our decrees ſhall be entered into the regiſtry of our "convocation; and that copies of them being communicated "to the ſeveral colleges and halls within this univerſity, "they be there publickly affixed in the libraries, refecto-"ries, or other fit places where they may be ſeen and read "of all.

"Laſtly, We command, and ſtrictly enjoin all and ſin-"gular the readers, tutors, catechiſts, and others, to whom "the care and truſt of initiating youth is committed, that "they diligently inſtruct and ground their ſcholars in that "moſt neceſſary doctrine, which, in a manner, is the badge "and character of the church of England, of ſubmitting "to every ordinance of man, for the lord's ſake; whether "it be to the king, as ſupreme; or unto governors, as unto "them that are ſent by him, for the puniſhment of evil "doers, and for the praiſe of them that do well. Teaching "that this ſubmiſſion and obedience is to be clear, abſolute, "and without any exception of any ſtate or order of men: "alſo, that they, according to the apoſtle's precept, ex-

"hort,

"hort, that firſt of all, ſupplications, prayers, interceſſions, 1683.
"and giving of thanks, be made for all men; for the king,
"and all that are in authority, that we may lead a quiet
"and peaceable life, in all godlineſs and honeſty; for this
"is good and acceptable in the ſight of God our ſaviour.
"And in ſpecial manner, that they preſs and oblige them,
"humbly to offer their moſt ardent and daily prayers at
"the throne of grace, for the preſervation of our ſove-
"reign lord king Charles, from the attempts of openvio-
"lence, and ſecret machinations of perfidious traitors;
"that the defender of the faith, being ſafe under the de-
"fence of the moſt high, may continue his reign on earth,
"till he exchange it for that of a late and happy immor-
"tality."

The marriage of the princeſs Anne, ſecond daughter of the duke of York, with prince George, brother to the king of Denmark, celebrated the 28th of July, gave ſome but no long interruption to the proſecutions of the conſpirators. Marriage of the princeſs Anne. Kennet, p. 407.

We have ſeen that the city of London complied with the king's pleaſure in relation to their charter. But it ſeems the king repented of his being ſo favourable. The election of a lord mayor, which is uſually on the 29th of September, having been deferred to the 6th of October, the king, on pretence that the city had not tendered him a formal ſubmiſſion, ordered the judgment upon the Quo Warranto to be entered. By this the city being without a charter, the government was ſeized by the king, who ſent a commiſſion to ſir William Pritchard to continue in the execution of his office during pleaſure. He confirmed likewiſe the two ſheriffs with the ſame reſtriction, and diſplaced the recorder, naming another in his room [c]. Shortly after, on St. Simon and Jude's day, on which it is cuſtomary for the new lord mayor to take the oaths in the court of exchequer, the king appointed a new lord mayor during his pleaſure. Thus the city of London ſaw itſelf without charter or privileges, and entirely dependent on the king's will. The king revokes the conditions accepted by the city of London, and names a lord mayor and other magiſtrates. Phillips. Kennet, p. 407. Burnet, p. 568.

The king, as I ſaid, publiſhed a proclamation for apprehending all the conſpirators againſt his life, among whom was his natural ſon, the duke of Monmouth. The duke The duke of Monmouth reconciles himſelf with the king, Sprat's hiſt. p. 162. and appendix, p. 201.

[c] Sir George Treby was diſplaced, and ſir Thomas Jenner, who was knighted at the ſame time, was made recorder. Eight aldermen were likewiſe turned out, and as many new ones named in their ſtead. Kennet, p. 407.

1683. had hitherto kept himſelf concealed. But at laſt weary of his uneaſy ſituation, he writ a very ſubmiſſive letter to the king his father, wherein, after poſitively denying his ever having any deſign againſt his life, he owned however, that many people had made him believe his own was in danger, and thereby cauſed him to commit things contrary to his duty to the king and the duke of York, and aſked both their pardons with great earneſtneſs and ſubmiſſion. He added, that if his majeſty would give him his pardon, he would deliver himſelf into the hands of the duke, that he might bring him to him. This was accompanied with proteſtations and aſſurances of reſpect, ſubmiſſion, and fidelity for the future. He concluded with ſaying, "That he would "never aſk to ſee the king's face more, if ever he did any "thing againſt the duke; which was the greateſt curſe he "could lay upon himſelf."

Kennet, p. 466. Burnet, p. 573.

The king could not diſſemble his ſatisfaction at the receipt of this letter, for he tenderly loved the duke of Monmouth. Nevertheleſs, with his own hand he writ the following anſwer: "If the duke of Monmouth deſires to make himſelf "capable of my mercy, he muſt render himſelf to the ſe"cretary, and reſolve to tell me all he knows, reſigning "himſelf entirely to my pleaſure."

This drew a ſecond letter from the duke, more ſubmiſſive than the former, in which he confeſſed his offence againſt the king and the duke, but in general terms, and without mention of particulars [d]. But in aſſuring the king of an unreſerved ſubmiſſion to his pleaſure, he intreated him, that he would not expoſe him to the ignominy of a trial, nor ſend him to the Tower, nor force him to be a witneſs againſt any perſon.

Sprat's hiſt. p. 162, and appendix, p. 204.

The king, ſatisfied with this letter, very readily admitted his beloved ſon to aſk forgiveneſs. He was introduced by ſecretary Jenkins, who withdrew, and left him alone with the king and the duke of York. What paſſed between them, can only be known from the report of the king and the duke his brother. It is however affirmed, that he threw himſelf at the king's feet, acknowledging his guilt [e], and aſking his

Ibid. p. 164, 165.

[d] He only ſaid, "—— I confeſs, "ſir, I have been in fault, miſled, "and inſenſibly engaged in things of "which the conſequence was not "enough underſtood by me: yet I can "ſay I never had a criminal thought "towards your Majeſty." —— Sprat's hiſt. append. p. 204.

[e] He did fully and freely acknowledge his having been conſcious of the conſpiracy; —— but perſiſted to the laſt in renouncing any the leaſt knowledge or thought of the aſſaſſinating part. Sprat's hiſt. p. 164. See the duke's journal in Kennet, p. 406.

pardon;

pardon; that he confeſſed himſelf faulty to the duke, aſking his pardon alſo. All this is very probable, but what is added admits of ſome doubt, namely, that he confirmed whatever had been depoſed againſt the lord Ruſſel and colonel Sidney, and thereby corroborated the lord Howard's evidence. It is alſo added, that he aſſured, all the conſiderable nonconformiſt miniſters knew of the conſpiracy. As this could only come from the king, or duke of York, and as it was the intereſt of both, that the earl of Eſſex, lord Ruſſel, and colonel Sidney, ſhould be thought guilty, all do not think themſelves obliged to credit their teſtimony. 1683. Echard, III. p. 703. See Burnet, p. 574.

However this be, the king ordered his pardon to be diſpatched with all expedition. But afterwards, upon a report, "That the duke of Monmouth had made no confeſſion, but had aſſerted the innocency of ſome that had "ſuffered," the king required him to write over, and ſubſcribe the following letter; and obtains pardon. Sprat, p. 166.

"I HAVE heard of ſome reports of me, as if I ſhould "have leſſened the late plot, and gone about to diſcredit the evidence given againſt thoſe who have died by "juſtice. Your majeſty and the duke know, how ingenuouſly I have owned the late conſpiracy; and though I "was not conſcious of any deſign againſt your majeſty's "life, yet I lament the having had ſo great a ſhare in the "other part of the ſaid conſpiracy. Sir, I have taken the "liberty to put this in writing for my own vindication; and "I beſeech you to look forward, and endeavour to forget "the faults you have forgiven me; I will take care never "to commit any more againſt you, or come within the "danger of being again miſled from my duty, but make it "the buſineſs of my life to deſerve the pardon your majeſty "hath granted to,"

Your dutiful Monmouth.

The king requires a letter from him. Sprat's hiſt. p. 167. Appendix, p. 207.

It is certain, the duke writ, or at leaſt ſubſcribed this letter, which, as it appears, was expreſſed in general terms, without deſcending to particulars. And yet, ſhortly after he repented of what he had done, and with great importunity preſſed the king to return him the paper he had ſubſcribed. The king anſwered him, he would not keep it againſt his will, that he might not have occaſion to ſay, he had been forced to write it. But withal, he warned him to conſider, what ill conſequences might follow upon this obſtinacy, and therefore gave him time till the next morning to deliberate with himſelf

He demands it back, Idem. p. 167-169. Burnet, P. 575.

1683. himself. The next day the duke demanded his letter with still greater importunity, and the king restored it, but from that moment banished him from his presence at court.

has it restored, and is banished from the king's presence. Dec. 7.

It is easy to see, that the motive which induced the duke to demand his letter again, is a subject for conjectures, and difficult to be discovered. Some pretend, the duke of Monmouth's friends represented to him, that by writing this letter, he had thrown himself upon an unavoidable precipice, since at some other time it might be turned to his ruin. Others maintain, that he was so troubled in conscience, for having asserted in this letter a thing which he knew to be false, that he was not easy till it was returned him. Each follows the opinion which is most agreeable to his system, but no proof is produced on either side. Lastly, there are who pretend, it was a contrivance between the king and the duke of Monmouth, and that the king, not to disoblige the duke of York, told, or ordered the duke of Monmouth to be told, to demand his letter again, in order to have an opportunity to restore it, for fear the duke of York might one day make an ill use of it. They confirm this conjecture from the king's behaviour to the duke of Monmouth in his absence. The duke withdrawing into Holland, and the prince of Orange receiving him with great respect and civility, the king could not forbear testifying his satisfaction. He writ frequently to the duke of Monmouth, received letters from him, unknown to the duke of York, and privately supplied him with money.

A conjecture upon this affair. Sprat's hist. p. 168. Burnet, p. 575. Kennet, p. 407. Echard, III. p. 705.

The winter this year was very remarkable for a violent frost, which began about the beginning of December, and lasted till the 5th of February. The Thames was so frozen, that there was another city, as it were, on the ice, by the great number of booths erected between the Temple and Southwark, in which place was held an absolute fair, for above a fortnight, of all sorts of trades. An ox was likewise roasted whole, bulls baited, and the like.

A great frost. Phillips. Echard, III. p. 705.

In September or October this year, the king commissioned the lord Dartmouth to go with about twenty sail of ships, and utterly demolish the town, castle, and mole of Tangier. The mole had cost the king vast sums, but for want of money or for some other cause was left unfinished. The lord Dartmouth had also orders to choak up the haven. Six months were spent in executing this commission. The king was thereby freed from a considerable annual expence for the preservation of this place, and moreover, the garrison, mostly consisting, as I observed, of popish soldiers and officers,

Tangier demolished. Echard, III. p. 706. Burnet, p. 592.

served

ſerved to augment the king's forces at home, and keep in awe thoſe who were impatient of the yoke. 1683.

This year 1683, was memorable for the famous ſiege of Vienna, formed by the grand viſier Kara Muſtapha, the 9th of July, with an army of an hundred and thirty thouſand men, and raiſed by the king of Poland, the ſecond of September, when the city was reduced to the laſt extremity. The ſiege of Vienna. Burnet, p. 563. Echard, III. p. 706.

The year 1684 was almoſt wholly ſpent in eſtabliſhing the king's acquired abſolute power. This was done chiefly by three expedients. The firſt was the augmentation of the forces by the garriſon of Tangier: the ſecond was, the rigorous puniſhment of thoſe who were not only accuſed of the proteſtant plot, but had during the quarrels between the king and the late parliaments, taken the liberty to ſpeak of the king and the duke of York, with too much paſſion and heat. Theſe ſpeeches, at a time when the king and the duke were obliged to diſſemble, for fear of farther exaſperating the parliament, were now remembered, when they were in a more favourable ſituation, and the authors made to ſuffer. The third expedient was, the perſuading indirectly all the corporations in the kingdom to ſurrender their charters to the king. I have already ſaid what I had to ſay concerning the garriſon of Tangier. 1683-4. Means to confirm the king's abſolute power.

As to the ſecond expedient, I mean, the proſecutions againſt the king's and duke's enemies, it would be tedious to enumerate all the trials and ſentences given againſt thoſe who were accuſed either of the laſt plot, or of having ſpoken too freely of the king and the duke. Nothing elſe almoſt occurs in the events of the year 1684. Since the city had loſt their privileges, the king had nominated ſheriffs [f] entirely devoted to him, who took care in all criminal trials to impannel juries, diſpoſed to follow the ſuggeſtions of the court. Condemnations of ſeveral perſons. State trials, t. III. Kennet, p. 407.

To facilitate the condemnation of thoſe whoſe proſecutions were reſolved, the king, in December laſt, had made ſir George Jefferies lord chief juſtice of the king's bench. He was a man fit for the purpoſes of the court, without honour or conſcience, impudent to the laſt degree, and ever ready to betray his duty and the intereſts of juſtice and the kingdom to recommend himſelf to thoſe who were in power. Theſe great qualities advanced him at laſt to the chancellorſhip of England. The king had alſo made other alterations among the judges, ſo that he was in a manner aſſured of the compliance of all the courts of juſtice. The court party Character of ſir George Jefferies. Burnet, p. 567.

[f] Peter Daniel, and Samuel Daſhwood, eſquires. Kennet, p. 407.

1683-4. had made a great noiſe ſome time before, concerning the ignoramus returned by the London juries upon all bills preferred againſt the whigs, and theſe complained no leſs of the rigour exerciſed this year by the tories. Books have been publiſhed to ſhow the paſſion, the partiality, and the crying injuſtices of the judges and juries, in favour of the court. But I cannot deſcend to theſe particulars, however proper they may be to demonſtrate, with what zeal the court promoted the execution of their deſigns, and to ſhow the characters of the perſons employed. I ſhall therefore omit many trials of perſons little known, and confine myſelf to ſome particular caſes, by which the reſt will be eaſily judged of.

The earl of Danby diſcharged. Feb. 12. Kennet, p. 405. Phillips. Burnet, p. 591.

The earl of Danby had been ſent to the Tower by the houſe of lords, upon an impeachment from the commons. He had often demanded to be diſcharged upon bail; but the judges had always refuſed his requeſt, declaring that it was not in their power to admit to bail a peer of the realm impriſoned by parliament. This was the law of the kingdom. But the alterations amongſt the judges had likewiſe produced great alterations in the maxims and principles of the courts of juſtice. The judges who had been in office ſome time, believed it lawful to releaſe the earl upon bail, which was accordingly taken, the earl being bound in a recognizance of ten thouſand pounds.

The popiſh lords admitted to bail. Feb. 12. Kennet, p. 406. Echard, III. p. 709.

The releaſe of the earl of Danby was a precedent for the liberty of the popiſh lords, priſoners in the Tower. The lord Petre one of thoſe lords, dying about a month before upon his death-bed ſent a letter to the king, diſowning in his laſt words, and upon his ſalvation, the matters of which he ſtood accuſed. After a declaration ſo expreſs, the king not doubting the innocence of the other four, told the court by his attorney general, that he conſented to whatever the court ſhould think fit to be done with regard to the popiſh lords. Whereupon they were admitted to bail the ſame day with the earl of Danby. It muſt be that the former judges were very ignorant, not to know that an inferior court had power to releaſe men impriſoned by the ſupreme court of the kingdom, or that the preſent judges were more bold than their predeceſſors.

Kennet, p. 405. Echard, III. p. 709.

But the perſons accuſed of the laſt conſpiracy, and thoſe who had ſpoken diſreſpectfully of the king and the duke, met not with ſo much humanity. Among the great number proſecuted for theſe two offences, I ſhall only relate the trials of three or four.

Mr.

Mr. Hampden was tried for a conſpirator the 6th of Febru- 1683-4.
ry. The lord Howard depoſed againſt him, That the coun- The trial of
cil of ſix meeting at mr. Hampden's houſe, mr. Hampden mr. Hamp-
made an introductory ſpeech to open the aſſembly, and that den.
he was concerned in ſending Aaron Smith into Scotland. Burnet.
Mr. Hampden's counſel inſiſted upon lord Howard's ill re- State trials,
putation, and ſcandalous life, and repreſented him little bet- III. p. 740,
ter than an atheiſt. But ſuch objections were of force only &c.
againſt Oates and Bedloe. For how was it poſſible that the
lord Howard ſhould be an ill man, ſince he only depoſed
againſt proteſtants? On the other hand, mr. Hampden pro- p. 753.
duced witneſſes who teſtified his virtue, his piety, his mora-
lity. But theſe teſtimonies were ineffectual. Jefferies, in
a long ſpeech, ſpeaking of religion and virtue, turned it up-
on the priſoner in theſe words, "Was it not (ſaid he) un- p. 767.
"der the ſhape of religion that the bleſſed martyr king
"Charles I. came to the block? Nay ſome men were at a
"loſs to know which way they ſhould put a ſpirit into the
"common people to oppoſe the king; and ſome among
"them, mr. Hampden the firſt, bid them be ſure to put re-
"ligion to be the pretence, and that would make them run
"headlong to what they would have them." But this ex-
cellent argument, to be virtuous and religious, was a ſign of
a man's being engaged in the plot. But obſerve an artifice
made uſe of to caſt mr. Hampden. It is certain, that, ſup-
poſing the truth of lord Howard's teſtimony, mr. Hampden
was not leſs guilty than lord Ruſſel or colonel Sidney. Ne-
verthleſs, he could not be condemned as a traitor, ſince
there was but one evidence againſt him, and all laws divine
and human require two witneſſes to the taking away a man's
life. He was therefore indicted of a miſdemeanour, and, Who is fined
the jury finding him guilty on the teſtimony of lord How- forty thou-
ard, the court was ſatisfied with fining him forty thouſand ſand pounds.
pounds, and obliging him to find ſureties for his good beha- p. 771.
viour during life. This was thought to be a very ſtrange and Kennet,
a ſevere ſentence. But the king diſpelled all doubts concern- p. 405.
ing this affair, by aſſuring the publick in a large declaration, Echard,
"That if he had not granted the duke of Monmouth's re- III. p. 710.
"queſt, that he would not make him a witneſs, neither mr.
"Hampden, nor ſcarce any one man of thoſe that were
"freed upon bail, had eſcaped death."

John Dutton Colt, eſquire, a member of the three laſt 1684.
parliaments, being accuſed of ſpeaking theſe words, "The
"duke of York is a papiſt, and before any ſuch papiſt dog Scandalum
"ſhall be ſucceſſor to the crown of England, I will be magnatum
"hanged brought
againſt

1684. "hanged at my own door." These and other injurious words being proved against him, the jury brought in their verdict for the duke of York, and gave him for damages a hundred thousand pounds.

Dutton Colt. May 3. Kennet, p. 414.

The duke of York also brought his action of scandalum magnatum against Titus Oates, for directly calling him traitor. For this offence the court gave the duke of York a hundred thousand pounds damages. Shortly after, he was indicted for perjury, in relation to father Ireland's being in London at the time Oates swore to, at his trial. Not long after another indictment of perjury was preferred against him, in relation to his being present at the supposed consult of the jesuits at the Whitehorse tavern in 1678. But these indictments not being tried this reign, Oates continued in prison.

And against Titus Oates. State trials, III. p. 899. Kennet. Burnet.

These three, and some others g, omitted for brevity sake, escaped with life, tho' properly condemned to perpetual imprisonment, as not being able to pay their exorbitant fines. But two others, who were out of the kingdom, did not come off so easy. James Holloway having seen his name in the Gazette amongst the conspirators, who were to be apprehended by the king's proclamation, fled to the West Indies. Upon his flight, he had suffered an outlawry for high treason, and this year the court hearing he was in the West-Indies, caused him to be apprehended and brought to London, where he was executed upon the attainder of outlawry treason.

Holloway executed, State trials, III. p. 855. Burnet, p. 576. Kennet, p. 413. Echard, III. p. 713.

April 30.

The same thing happened to sir Thomas Armstrong, who had been considered as one of the principal authors of the last plot, and named in the king's proclamation with a reward of five hundred pounds. He made his escape into Holland, and was outlawed as well as Holloway. The court hearing he was at Leyden, obtained an order from the states to apprehend him, and accordingly before he had notice, he was apprehended and brought to Rotterdam, and from thence to London. When he appeared at the king's bench bar, he alledged that he was beyond sea at the time of the outlawry, and begged that he might be tried. But his request was ab-

and sir Thomas Armstrong. State trials, III. p. 895. Kennet, p. 414. Burnet, p. 577.

g February 7, Laurence Braddon and Hugh Speke were tried for a misdemeanor in suborning witnesses to prove the earl of Essex was murdered by his keepers, for which the first was fined two thousand pounds, and the latter one thousand pounds.—— February 14, sir Samuel Barnardiston was fined ten thousand pounds for writing some letters about the plot. State trials, tom. III. p. 771, 845.—— And Samuel Johnson five hundred marks, for writing Julian the apostate. Kennet, p. 405.

solutely

solutely rejected, and the rather, as the attorney general told the court from the king, that Armstrong was one of the persons who were to assassinate his majesty on his return from Newmarket, which the prisoner positively denied. He was executed the 20th of June, and his head and quarters set up in several parts of the city. Only one was reserved to be sent down to Stafford, for which town he had been a burgess in parliament. 1684.

I do not think it necessary to relate the trials, this year, of a great number of libellers, and persons who had spoken against the king, the duke of York, or the government. In Echard's history I find thirty two condemned in great fines, and some put in the pillory. The history of this year properly consists of such transactions only.

The whole kingdom being struck with terror, the king believed he ought to improve it to the establishment of his absolute power, so as to have nothing to fear from any future opposition. This was by depriving at once all the corporations, and consequently all his subjects of their privileges. It was not proper to use absolute power, but to proceed in a manner more politick and more dangerous to the people, by engaging them to make a voluntary surrender of their charters in order to receive such new ones as the king should please to grant. For this purpose, courtiers and emissaries were sent to the more considerable corporations, to inspire them with terror, and intimate to them, that scarce one could escape, should the king exercise strict justice. This chiefly concerned the whigs and nonconformists, for the tories were generally very ready blindly to obey the pleasure of the court. Jefferies particularly distinguished himself in his northern circuit at the summer assizes. He forgot nothing capable of terrifying the people, assuring them, that a surrender of their charters was the only way to avert the mischiefs which hung over their head. Other judges and emissaries did the same, and at last, the larger corporations being thus gained, the lesser necessarily followed. So, a sudden and great change was seen in England, namely, the English nation without rights or privileges, but such as the king would vouchsafe to grant her; and what is more strange, the English themselves surrendered to Charles II. those very rights and privileges which they had defended with so much passion or rather fury, against the attempts of Charles I.

The king prevails to have the charters of the principal boroughs surrendered to him. Kennet, p. 415. R. Coke, p. 317. Echard, III. p. 720.

To

1684. To make the people in ſome meaſure fully ſenſible of their new ſlavery, the king affected to muſter his forces, which from one regiment of foot and one troop of horſe-guards (raiſed by himſelf, with the murmurs of many of his ſubjects) were increaſed to four thouſand compleatly trained and effective men. It might then be ſeen, that the members of parliament who oppoſed the raiſing, or at at leaſt the eſtabliſhment of theſe guards, were not altogether in the wrong. But the zeal of the tory party was now arrived to ſuch a height, that they looked on every thing which contributed to render the king abſolute, as a ſure means to ruin the whigs, and conſequently as a triumph for them. They prepoſterouſly imagined, that the court only aimed at the deſtruction of that odious party, and was ſolely labouring for the tories. Accordingly, we find ſtill ſome authors of this laſt party who repreſent the year 1684 as the moſt peaceable, the moſt quiet, and, in a word, the happieſt year England had ſeen for ſome ages. Nothing was capable to open the eyes of theſe paſſionate men, who, againſt all probability, believed the court well affected both to the ſtate and the proteſtant religion.

The king muſters his army. October 1. Echard, III. p. 716.

The tories in raptures on the elevation of the king's power. Id. p. 721.

Nevertheleſs, the king did a thing this year which ought to have undeceived them. He diſſolved the commiſſion, granted in the year 1681, for the diſpoſal of all eccleſiaſtical preferments. As the eſtabliſhing this commiſſion was in order to perſuade his ſubjects, that he had the intereſt of the proteſtant religion at heart, he could not avoid appointing ſuch commiſſioners as were thought to have the ſame ſentiments. But finding himſelf at length in the ſituation he had wiſhed for, this commiſſion was too great a reſtraint, and therefore he revoked it to fill the vacant benefices agreeably to his own inclinations.

The king vacates the eccleſiaſtical commiſſion. Phillips. Echard, III. p. 716.

It muſt not be concealed, that moſt hiſtorians aſcribe all the rigours exerciſed this year, and all the meaſures taken by the king for the advancement of his abſolute power to the counſels of the duke his brother. That prince had gained ſo great an aſcendant over the king, that he held him in a kind of ſubjection, and led him into meaſures productive of others, and ſo carried him farther than the king deſired. Beſides, that the king was naturally indolent, and loved his eaſe too much to engage in any affairs capable of diſturbing his repoſe, he knew the genius and temper of the Engliſh much better than the duke of York, and was ſenſible of the great difficulty to preſerve long a power acquired in ſo extraordinary a manner. But, on the other hand, after ſo many proceedings

The duke of York blamed for the king's actions. Burnet, p. 582. Kenner, p. 415.

proceedings to ſecure this power, he knew not how to retreat; and could not alter his conduct, without breaking entirely with the duke, which muſt have extremely embaraſſed him. He could not change his principles and maxims, without an entire alteration in his court and council, and without putting himſelf into the hands of men of very different principles. Beſides, his inclination did not lead him to it, and it was only this fear of diſturbing his quiet, which cauſed him to conſider the danger of his preſent proceedings. Mean while, as this danger was not yet near, and as all the kingdom appeared ſubmiſſive, he kept off the evil day, and delayed coming to any determination. 1684.

However this be, the Hamborough company, to gain the good will of a prince, inveſted with ſuch power, erected a marble ſtatue to him in the middle of the Royal Exchange, with this pompous inſcription on the pedeſtal: A ſtatue erected to the king. Strype's ſurvey of London.

CAROLO II. Cæſari Britannico, patriæ patri, regum optimo, clementiſſimo, auguſtiſſimo, generis humani deliciis, utriuſque fortunæ victori, pacis Europæ arbitro, Maris domino & vindici, ſocietas mercatorum adventur. Angliæ, quæ per CCCC jam prope annos regia benignitate floret, fidei intermeratæ, gratitudinis æternæ, hoc teſtimonium venerabunda poſuit, anno ſal. humanæ. MDCLXXXIV [h]. The inſcription.

Almoſt the whole month of January of the new year 1685, was ſpent either in proſecuting delinquents againſt the king and the duke, or in receiving the charters of the corporations, not yet ſurrendered, or in granting new ones on ſuch conditions as the court thought proper. It may well be imagined, that theſe conditions were not prejudicial to the power acquired by the king. All complaints were ſuppreſſed, and the whole kingdom entirely ſubdued, the city of London not excepted, which had always oppoſed abſolute power. 1684-5. The king abſolute.

The king now finding himſelf at the height of his wiſhes, was willing to do a popular act, and publiſhed a declaration, drawn up by dr. Prat, in which, "he affectionately "thanked his ſubjects for their great confidence in him, "chiefly for their ſo freely reſigning their local immunities "and charters into his hands, leſt the abuſe of any of "them ſhould hereafter prove dangerous to the juſt prero- "gatives of the crown. This, he declared he eſteemed as "the peculiar honour of his reign, being ſuch as none of In a declaration he thanks the corporations for the ſurrender of their charters. Echard, III. p. 721.

[h] This year, April 14, ſir Leoline Jenkins reſigned his place of ſecretary of ſtate, wherein he was ſucceeded by Sidney Godolphin, who was created a baron. Kennet, p. 415.

the

1684-5. "the moſt popular of all his late royal predeceſſors could "ever have hoped for. Wherefore he thought himſelf "more than ordinarily obliged to continue, as he had hi-"therto begun, to ſhow the greateſt moderation and benig-"nity, in the exerciſe of ſo great a truſt: reſolving upon "this occaſion, to convince the higheſt pretenders to the "commonweal, that as the crown was the firſt original, ſo "it was ſtill the ſureſt guardian of all the people's lawful "rights and privileges."

He forms new projects Burnet, p. 604. Welwood, p. 416.

Notwithſtanding all this, it is pretended, he had formed a project for an extraordinary change in the government: that he deſigned to recall the duke of Monmouth, to ſend the duke of York beyond ſea, and call a free parliament. This ſeems to have been founded on ſome paſſages in the duke of Monmouth's pocket book, ſeized with his perſon in the following reign. We are further told, that the king had intimated, that if he lived but a month longer, he would find a way to make himſelf eaſy for the reſt of his life [1]. But he lived not to execute this deſign. He died the 6th of February, fifty four years of age, and twenty five ſince his reſtoration. The cauſe of his death being variouſly reported, ſome thinking it natural, others violent, I believe moſt inſtructive for the reader, what dr. Welwood ſays of it, who ſeems to have ſpoken of it with moſt impartiality.

He dies.

Extract out of dr. Welwood upon this ſubject, p. 121, &c.

"It's confeſſed, few princes come to die a ſudden death, "but the world is apt to attribute it to foul play; eſpecially "if attended with unuſual circumſtances in the time and "manner of it.

[1] Of this new ſcheme Burnet gives this account. There was at this time a new ſcheme formed, that very probably would have for ever broken the king and the duke.——It was laid at the lady Portſmouth's. Barillon, lord Sunderland, and lord Godolphin were in it. The duke of Monmouth came over ſecretly. And though he did not ſee the king, yet he went back very well pleaſed with his journey.——The deſign was to begin with the ſending the duke of York to Scotland.——The king ſpoke to the duke concerning his going to Scotland: and he anſwered, there was no occaſion for it. Upon which the king replied, that either the duke muſt go, or that he himſelf would go thither.——The king was obſerved to be colder and more reſerved to the duke than ordinary. But what was under all this, was ſtill a deep ſecret. Lord Halifax was let into no part of it. He complained in council againſt lord Rocheſter, that there were many razures in the books of the treaſury, and moved the king to go to the treaſury chamber. So the king named the next Monday. And mr. May was ſent for from Windſor, to come to court that day, which it was expected would prove a critical day. And it proved ſo indeed, though in a different ways the king being taken ill in the mean while, p. 604—606.

"king

"King Charles had a healthful conſtitution beyond moſt 1684-5.
"men, and took great care to preſerve it, by diet and exer-
"ciſe, which naturally promiſe a long life: and it was more
"extraordinary to ſee ſuch a man die before threeſcore, than
"another in the bloom of youth. Now, if he died a na-
"tural death, it is agreed by all, that it muſt have been
"an apoplexy. This diſeaſe ſeizes all the vital faculties at
"once; and yet, for the moſt part, does not only give
"ſome ſhort warnings of its approach, by unuſual affections
"of the head, but many times is occaſioned by ſome evi-
"dent preceding cauſe. In king Charles's caſe, there ap-
"peared no viſible cauſe, either near or remote, to which,
"with any certainty of reaſon, his diſeaſe could be aſcribed;
"and the forerunners of it were rather to be found in his
"ſtomach and bowels, than in the head. For, after he
"was a bed, he was overheard to groan moſt of the night:
"and both then, and next morning, before he fell into the
"fit, he complained firſt of a heavy oppreſſion in his ſto-
"mach and about his heart, and afterwards of a ſharp pain
"in thoſe parts; all which ſymptoms had but little rela-
"tion to an apoplexy. That morning there appeared to
"every body about him, a ghaſtlineſs and paleneſs in his
"looks: and when he ſat down to be ſhaved, juſt before
"the fit took him, he could not ſit ſtraight, as he uſed to
"do, but continued in a ſtooping poſture, with his hand
"upon his ſtomach, till the fit came. After he had been
"brought out of it, by opening a vein, he complained of a
"racking pain in his ſtomach, and of no indiſpoſition any
"where elſe: and during the whole time of his ſick-
"neſs, and even when he ſeemed moſt inſenſible, he was
"obſerved to lay his hand, for the moſt part, upon his
"ſtomach, in a moaning poſture, and continued ſo to his
"death: and ſo violent was the pain, that when all hopes
"were gone, the phyſicians were deſired to uſe all their art
"to procure him an eaſy death.

"So much for the diſtemper itſelf. There remains
"ſome things to be taken notice of, that fell out before
"and after his death. A few days before he was taken
"ill, king Charles being in company where the preſent
"poſture of affairs was diſcourſed of, there eſcaped him ſome
"warm expreſſions, about the uneaſy circumſtances he
"was plunged into, and the ill meaſures had been given
"him: and how, in a certain particular affair, he was
"pleaſed to mention, He had been abuſed; adding in ſome
"paſſion, That if he lived but a month longer, he would
"find

1684-5. "find a way to make himſelf eaſy for the reſt of his life.
"This paſſage was whiſpered abroad next day; and the
"rumour of recalling the duke of Monmouth, and ſending
"away the duke of York, came to take air about the
"ſame time. Indeed, all things were making ready, to
"put the latter in execution; and there is reaſon to be-
"lieve, the king had intimated as much to the duke him-
"himſelf; for ſome of his richeſt furniture was put up,
"and his chief ſervants ordered to be in a readineſs to at-
"tend their maſter upon an hour's warning; and yachts
"were waiting, to tranſport ſome perſons of quality, with-
"out mentioning who it was, or whither bound. The
"Romiſh party that managed about court, were obſerved
"to be more than ordinary diligent and buſy up and down
"Whitehall and St. James's, as if ſome very important
"affair was in agitation; and a new and unuſual concern
"was to be ſeen on their countenances. Nor was it any
"wonder, for in this ſuſpected change, they were like to
"be the only loſers, and all their teeming hopes were in a
"fair way to be diſappointed. How far the principles of
"ſome of that party might leave them at liberty to puſh
"on their revenge for this deſigned affront, as well as to
"prevent the blow that threatened them, though without
"the privity, much leſs the conſent of the duke of York,
"is left to the reader to judge.

"There was a foreign miniſter, that ſome days before
"the king fell ill, ordered his ſteward to buy a conſider-
"able parcel of black cloth, which ſerved him and his
"retinue after for mourning: and the late ambaſſador Don
"Pedro Ronquillo, made it no ſecret, that he had a letter
"from Flanders the week before king Charles died, that
"took notice of his death, as the news there. But both
"theſe might fall out by mere accident.

"There remain two things more that deſerve ſome con-
"ſideration in this matter. When his body was opened,
"there was not ſufficient time given for taking an exact
"obſervation of his ſtomach and bowels; which one would
"think, ought chiefly to have been done, conſidering the
"violent pains he had there: and when a certain phyſi-
"cian ſeemed to be more inquiſitive than ordinary about
"the condition of thoſe parts, he was taken aſide, and re-
"proved for his needleſs curioſity. In the next place, his
"body ſtunk ſo extremely, within a few hours after his
"death, notwithſtanding the coldneſs of the ſeaſon, that
"the people about him were extremely offended with the
"

" ſmell: which is a thing very extraordinary, in one of 1684-5.
" his ſtrong and healthful conſtitution; and is not a pro-
" per conſequent of a more apoplectical diſtemper.

" There was ſome weight laid upon an accident that
" fell out at Windſor ſome years before his death: for the
" king drinking more liberally than uſual, after the fatigue
" of riding, he retired to the next room, and wrapping
" himſelf up in his cloak, fell aſleep upon a couch. He
" was but a little time come back to the company, when
" a ſervant belonging to one of them, lay down upon the
" ſame couch in the king's cloak, and was found ſtabbed
" dead with a poniard. Nor was it ever known how it
" happened, but the matter huſhed up, and no enquiry
" made about it.

" To conclude, dr. Short, who was a man of great pro-
" bity and learning, and a Roman catholick, made no
" ſcruple to declare his opinion to ſome of his intimate
" friends, that he believed king Charles had foul play done
" him. And when he came to die himſelf, expreſſed ſome
" ſuſpicion that he had met with the ſame treatment, for
" opening his mind too freely in that point.

" So much for the circumſtances of king Charles's
" death, that ſeem to have an ill aſpect. There are o-
" thers, that ſeem to deſtroy all ſuſpicion of treachery in
" the matter.

" As, firſt, he had lived ſo faſt, as might enervate, in
" a great meaſure, the natural force of his conſtitution,
" and exhauſt his animal ſpirits; and therefore he might
" be more ſubject to apoplexy, which is a diſeaſe that
" weakens and locks up theſe ſpirits from performing their
" uſual functions. And though, in his later years, he had
" given himſelf up more to the pleaſures of wine, than of
" women; that might rather be the effect of age than of
" choice.

" Next, it is known, he had been once or twice at-
" tacked before, with fits that much reſembled thoſe of
" which he afterwards died: and yet, as the manner of
" them is told, they look rather to have been convulſive
" motions, than an apoplexy; ſeeing they were attended
" with violent contorſions of his face, and convulſions of
" his whole body and limbs. This is the more confirmed,
" by a paſſage, that happened during the heat of the popiſh
" plot. King Charles had ſome ſecret matters to manage
" at that time, by the means of a Romiſh prieſt then be-
" yond ſea, whom he ordered to be privately ſent for: and

1684-5. "the gentleman employed betwixt the king and him (from "whom I had the ſtory) was directed to bring him in a "diſguiſe to Whitehall. The king and the prieſt were a "conſiderable time together alone in the cloſet, and the "gentleman attended in the next room: at laſt, the prieſt "came out, with all the marks of fright and aſtoniſh-"ment in his face; and having recovered himſelf a little, "he told the gentleman, that he had run the greateſt "riſque ever man did; for while he was with the king, "his majeſty was ſuddenly ſurprized with a fit, accom-"panied with violent convulſions of his body, and con-"torſions of his face, which laſted for ſome moments; and "when he was going to call out for help, the king held "him by force till it was over, and then bid him not be "afraid for he had been troubled with the like before; "the prieſt adding, what a condition he ſhould have been "in, conſidering his religion, and the preſent juncture of "affairs, if the king had died of that fit, and no body in "the room with him beſides himſelf.

"But leaving this ſtory to the credit of the prieſt, there "might be another natural cauſe aſſigned for king Charles's "falling into ſuch a fit as that of which he died, which is "this; he had for ſome time an iſſue in his leg, which "ran much, and conſequently muſt have made a great "revulſion from his head; upon which account, it is "probable, it was made. A few weeks before his death, "he had let it be dried up, contrary to the advice of his "phyſicians, who told him it would prejudice his health. "Their prognoſtic was partly true in this, that there came "a painful tumour upon the place where the iſſue had been, "which proved very obſtinate, and was not thoroughly "healed up when he died.

"In fine, it is agreed on all hands, that king Charles "expreſſed no ſuſpicion of his being poiſoned, during all "the time of his ſickneſs: though it muſt be alſo obſerv-"ed, that the fits were ſo violent, that he could not ſpeak "while they were upon him, and ſhewed an averſion to "ſpeaking during the intervals. And there was not any "thing to be ſeen, upon opening his body, that could "reaſonably be attributed to the force of poiſon. Yet, to "allow theſe conſiderations no more weight than they can "well bear, this muſt be acknowledged, that there are "poiſons which affect originally the animal ſpirits, and are "of ſo ſubtle a nature, that they leave no concluding marks "upon the bodies of thoſe they kill."

Let

Let us now ſee what dr, Burnet ſays upon this ſubject, in his hiſtory of his own times. As this hiſtory is not yet tranſlated, or at leaſt publiſhed in French, I believe it will not be unacceptable to foreigners, to inſert here that famous prelate's account of the death of Charles II. 1684-5.

Extract of dr. Burnet's hiſtory. t. 1. p. 606, &c.

" All this winter the king looked better than he had " done for many years. He had a humour in his leg, " which looked like the beginning of the gout: ſo that " for ſome weeks he could not walk, as he uſed to do ge- " nerally, three or four hours a day in the park; which " he did commonly ſo faſt that as it was really an exer- " ciſe to himſelf, ſo it was a trouble to all about him to " hold up with him. In the ſtate the king was in, he " not being able to walk, ſpent much of his time in his la- " boratory, and was running a proceſs for the fixing of " Mercury. On the firſt of February, being a Sunday, he " eat little all day, and came to lady Portſmouth at night, " and called for a porringer of ſpoon meat. It was made " too ſtrong for his ſtomach; ſo he eat little of it: and " he had an unquiet night. In the morning one dr. King, " a phyſician and a chemiſt, came, as he had been or- " dered, to wait on him. All the king's diſcourſe to him " was ſo broken, that he could not underſtand what he " meant. And the doctor concluded, he was under ſome " great diſorder, either in his mind, or in his body. The " doctor, amazed at this, went out, and meeting with " lord Peterborough, he ſaid, the king was in a ſtrange " humour, for he did not ſpeak one word of ſenſe. Lord " Peterborough deſired he would go in again to the bed- " chamber, which he did. And he was ſcarce come in, " when the king, who ſeemed all the while to be in " great confuſion, fell down all of a ſudden in a fit like " an apoplexy: he looked black, and his eyes turned in " his head. The phyſician, who had been formerly an " eminent ſurgeon, ſaid it was impoſſible to ſave the king's " life, if one minute was loſt: he would rather venture " on the rigour of the law, than leave the king to periſh; " and ſo he let him blood.——The king came out of that " fit, yet the effects of it hung ſtill upon him, ſo that " he was much oppreſſed. And the phyſicians did very " much apprehend the return of another fit, and that it " would carry him off: ſo they looked on him as a dead " man. The biſhop of London ſpoke a little to him, to " diſpoſe him to prepare for whatever might be before him; " to which the king anſwered not a word. But that was

1684-5. "imputed partly to the biſhop's cold way of ſpeaking, and "partly to the ill opinion they had of him at court, as too "buſy in oppoſition to popery. Sandcroft made a very "weighty exhortation to him; in which he uſed a good "degree of freedom, which he ſaid was neceſſary, ſince "he was going to be judged by one who was no reſpecter "of perſons. To him the king made no anſwer neither; "nor yet to Ken, though the moſt in favour with him "of all the biſhops. Some imputed this to an inſenſibi- "lity, of which too viſible an inſtance appeared, ſince "lady Portſmouth ſat in the bed, taking care of him "as a wife of a huſband. Others gueſſed truer; that it "would appear he was of another religion. On Thurſ- "day a ſecond fit returned. And then the phyſicians told "the duke, that the king was not like to live a day to "an end.

"The duke immediately ordered Hudleſton, the prieſt "that had a great hand in ſaving the king at Worceſter "fight, (for which he was excepted out of all ſevere acts "that were made againſt prieſts) to be brought to the lodg- "ings under the bed-chamber: And, when he was told "what was to be done, he was in great confuſion for "he had no hoſtie about him. But he went to another "prieſt that lived in the court, who gave him the pix "with an hoſtie in it. But that poor prieſt was ſo fright- "ed, that he ran out of Whitehall in ſuch haſte, that he "ſtruck againſt a poſt, and ſeemed to be in a fit of mad- "neſs with fear. As ſoon as Hudleſton had prepared every "thing that was neceſſary, the duke whiſpered the king in "the ear, upon that the king ordered, that all who was "in the bed-chamber ſhould withdraw, except the earls of "Bath and Feverſham; and the door was double locked. "The company was kept out half an hour: only lord "Feverſham opened the door once, and called for a glaſs "of water. Cardinal Howard told me at Rome, that Hud- "leſton, according to the relation that he ſent thither, "made the king go through ſome acts of contrition, and, "after ſuch a confeſſion as he could then make, he gave "him abſolution, and the other ſacraments. The hoſtie "ſtuck in his throat: and that was the occaſion of cal- "ling for a glaſs of water. He alſo gave him extreme "unction. All muſt have been performed very ſuperfi- "cially, ſince it was ſo ſoon ended. But the king ſeemed "to be at great eaſe upon it. It was given out, that the "king ſaid to Hudleſton, that he had ſaved him twice,

"firſt

" firſt his body and now his ſoul; and that he aſked him, 1684-5.
" if he would have him declare himſelf to be of their
" church. But it ſeems, he was prepared for this, and ſo
" diverted the king from it; and ſaid, he took it upon
" him to ſatisfy the world in that particular. But though
" by the principles of all religion whatſoever, he ought to
" have obliged him to make open profeſſion of his religi-
" on; yet, it ſeems, the conſequences of that were ap-
" prehended; for, without doubt, that poor prieſt acted
" by the directions that were given him. The company
" was ſuffered to come in. And the king went through
" the agonies of death, with a calm and a conſtancy, that
" amazed all who were about him, and knew how he had
" lived. This made ſome conclude, that he had made a
" will, and that his quiet was the effect of that. Ken ap-
" plied himſelf much to the awaking the king's conſci-
" ence. He ſpoke with a great elevation, both of thought
" and expreſſion, like a man inſpired, as thoſe who were
" preſent told me. He reſumed the matter often, and
" pronounced many ſhort ejaculations and prayers, which
" affected all that were preſent, except him that was the
" moſt concerned, who ſeemed to take no notice of him,
" and made no anſwers to him. He preſſed the king ſix
" or ſeven times to receive the ſacrament; but the king
" always declined it, ſaying, he was very weak. A table
" with the elements upon it, ready to be conſecrated, was
" brought into the room, which occaſioned a report to be
" then ſpread about, that he had received it. Ken preſſed
" him to declare, that he deſired it, and that he died in
" the communion of the church of England. To that he anſ-
" wered nothing. Ken aſked him, if he deſired abſolution of
" his ſins. It ſeems the king, if he then thought any thing
" at all, thought that would do him no hurt. So Ken
" pronounced it over him: for which he was blamed, ſince
" the king expreſſed no ſenſe, or ſorrow for his paſt life,
" nor any purpoſe of amendment. It was thought to be a
" proſtitution of the peace of the church, to give it to one,
" who, after a life led as as the king's had been, ſeemed
" to harden himſelf againſt every thing that could be ſaid to
" him. Ken was alſo cenſured for another piece of inde-
" cency: he preſented the duke of Richmond, lady Pouſ-
" mouth's ſon, to be bleſſed by the king. Upon this, ſome
" that were in the room cried out, the king was their com-
" mon father. And upon that all kneeled down for his
" bleſſing, which he gave them. The king ſuffered much

1684-5. "inwardly, and ſaid, he was burnt up within; of which "he complained often, but with great decency. He ſaid "once, he hoped he ſhould climb up to Heaven's gates, which "was the only word ſavouring of religion that he was heard "to ſpeak.

"He gathered all his ſtrength to ſpeak his laſt words to "the duke, to which every one hearkened with great at- "tention. He expreſſed his kindneſs to him, and that he "now delivered all over to him with great joy. He re- "commended lady Portſmouth over and over again to him. "He ſaid, he had always loved her, and he loved her "now to the laſt; and beſought the duke, in as melting "words as he could fetch out, to be very kind to her "and to her ſon. He recommended his other children to "him: and concluded, let not poor Nelly ſtarve, that was "mrs. Gwyn. But he ſaid nothing of the queen, nor any "one word of his people, or of his ſervants; nor did he "ſpeak one word of religion, or concerning the payment "of his debts, though he left behind him about ninety thou- "ſand guineas, which he had gathered either out of the "privy purſe, or out of the money which was ſent him "from France, or by other methods, and which he had "kept ſo ſecretly, that no perſon whatſoever knew any "thing of it.

"He continued in the agony till Friday at eleven a clock, "being the 6th of February 1684-5; and then died in the "fifty fourth year of his age, after he had reigned, if "we reckon from his father's death, thirty ſix years and "eight days; or if we reckon from his reſtoration, twenty "four years, eight months, and nine days. There were "many very apparent ſuſpicions of his being poiſoned: "for though the firſt acceſs looked like an apoplexy, yet "it was plain in the progreſs of it, that it was no apo- "plexy. When his body was opened, the phyſicians who "viewed it, were, as it were, led by thoſe, who might "ſuſpect the truth, to look upon the parts that were cer- "tainly ſound. But both Lower, and Needham, two fa- "mous phyſicians, told me, they plainly diſcerned two or "three blue ſpots on the outſide of the ſtomach. Need- "ham called twice to have it opened, but the ſurgeons "ſeemed not to hear him. And when he moved it the "ſecond time, he, as he told me, heard Lower ſay to one "that ſtood next him, Needham will undo us, calling "thus to have the ſtomach opened; for he may ſee they "will not do it: they were diverted to look to ſomewhat

"elſe

" elſe; and when they returned to look upon the ſtomach, 1684-5.
" it was carried away: So that it was never viewed. Le
" Fevre a French phyſician, told me, he ſaw a blackneſs
" in his ſhoulder: upon which he made an inciſion, and
" ſaw it was all mortified. Short, another phyſician, who
" was a papiſt, but after a form of his own, did very much
" ſuſpect foul dealing. And he had talked more freely of
" it, than any of the proteſtants durſt do at that time.
" But he was not long after taken ſuddenly ill, upon a
" large draught of wormwood wine, which he had drank
" in the houſe of a popiſh patient that lived near the Tower,
" who had ſent for him, of which he died; and, as he ſaid
" to Lower, Millington, and ſome other phyſicians, he
" believed that he himſelf was poiſoned for his having
" ſpoken ſo freely of the king's death.

" The king's body was indecently neglected; ſome parts
" of his inwards, and ſome peices of the fat, were left in
" the water in which they were waſhed: all which were
" ſo careleſsly looked after, that the water being poured out
" at a ſcullery hole, that went to a drain, in the mouth of
" which a grate lay, theſe were ſeen lying on the grate
" many days after. His funeral was very mean. He did
" not lie in ſtate; no mournings were given: and the
" expence of it was not equal to what an ordinary no-
" bleman's funeral will riſe to. Many upon this ſaid, that
" he better deſerved from his brother, than to be thus
" ungratefully treated in ceremonies that are publick, and
" that make an impreſſion on thoſe who ſee them, and who
" will make ſevere obſervations and inferences upon ſuch
" omiſſions.

" But ſince I have mentioned the ſuſpicions of poiſon as
" the cauſe of his death, I muſt add, that I never heard
" any lay thoſe ſuſpicions on his brother. But his dying ſo
" critically, as it were in the minute in which he ſeemed
" to begin a turn of affairs, made it to be generally the
" more believed, and that the papiſts had done it, either
" by the means of ſome of lady Portſmouth's ſervants, or,
" as ſome fancied, by poiſoned ſnuff: for ſo many of the
" ſmall veins of the brain were burſt, that the brain was
" in great diſorder, and no judgment could be made con-
" cerning it. To this I ſhall add a very ſurpriſing ſtory,
" that I had in November 1709, from mr. Henly of Hamp-
" ſhire. He told me, that, when the dutcheſs of Portſ-
" mouth came over to England in 1699, he heard, that
" ſhe talked as if king Charles had been poiſoned; which

1684-5. "he deſiring to have from her own mouth, ſhe gave him "this account of it. She was always preſſing the king to "make both himſelf and his people eaſy, and to come "to a full agreement with his parliament: and he was "come to a final reſolution of ſending away his brother, "and of calling a parliament; which was to be executed "the next day, after he fell into that fit of which he died. "She was put upon the ſecret, and ſpoke of it to no per- "ſon alive but to her confeſſor: but the confeſſor, ſhe be- "lieved, told it to ſome, who ſeeing what was to follow, "took that wicked courſe to prevent it. Having this from "ſo worthy a perſon, as I have ſet it down without adding "the leaſt circumſtance to it, I thought it too important "not to be mentioned in this hiſtory. It diſcovers both "the knavery of confeſſors, and the practices of papiſts ſo "evidently, that there is no need of making any further re- "flections on it."

Other particulars relating to the death of king Charles II.

Echard, III. p. 722.

Theſe two relations of the death of king Charles II. agree in the principal circumſtances, particularly in the ſuſpicion of his being poiſoned. Several other accounts have been given of his death, in which are inſerted circumſtances not to be met with here, and others omitted which are here related. It is ſaid, that at the perſuaſion of biſhop Ken, the king at laſt reſolved to diſmiſs the ducheſs of Portſmouth, and ſending for the queen, aſked her pardon for the injury he had done her. It is added, that he had the ſatisfaction of her particular forgiveneſs. This directly contradicts dr. Burnet's account of the ducheſs of Portſmouth.

Kennet, p. 418.

Id. p. 416, 440.

Some ſay, Hudleſton was not brought to the king till he had loſt all ſenſe, and that he received the ſacrament of extreme unction, without giving the leaſt ſign either of his approbation or refuſal. It is pretended, he adviſed the duke his brother, not to think of introducing popery into England, becauſe it was an impracticable undertaking. Laſtly, ſome ſay only, that the phyſicians and ſurgeons inſpecting the body, diſcovered no mark of poiſon, and entirely omit the circumſtances of the ſtomach, mentioned in the two foregoing relations, though they own the ſuſpicion of the king's being poiſoned, but repreſent this ſuſpicion as coming from the enemies of the duke and of the papiſts.

Remark.

It is univerſally agreed, that no man had the boldneſs to accuſe the duke of poiſoning his brother. But it is not to be concluded from thence, that no man believed it. Thoſe who might have entertained this ſuſpicion, took care not to expoſe themſelves to a danger ſo great as that of accuſing the ſucceſſor,

ſucceſſor, without being able to prove it. The papiſts in general are accuſed, but this is ſo undeterminate a word, that one knows not to whom to apply it, when they are ſeparated from the duke of York their head. Beſides, the inſpection of the dead body was managed in a proper way to diſpel all ſuſpicions of poiſon; but who directed the phyſicians or ſurgeons is a ſecret, at leaſt the brother of the deceaſed does not appear to have concerned himſelf much in this inſpection, though the ſuſpicions of poiſon were very violent. All this creates ſuch an obſcurity as gives every man room to judge as he pleaſes. Thus much is certain, there is no formal proof that king Charles II. was poiſoned, or if he was, the authors of his death remain hitherto concealed. 1684-5.

A remark on the character of Charles II.

It is not very ſtrange that the hiſtorians or others, ſhould diſagree in their character of Charles II. when it is conſidered, that he was the head and protector of one of the two parties, and the perſecutor of the other. This muſt have neceſſarily produced a diverſity of characters, according as they are given by tories or whigs. When we read ſucceſſively the writers of the two parties, who have ſpoken of this prince in general, or given his character, we are almoſt apt to think, they ſpeak of two different kings of the ſame name. The one by ſeveral omiſſions endeavour to cover all his faults, or if they are mentioned, it is very ſlightly, and always with ſome addition or inſinuation tending to juſtify them. The others inſiſt chiefly upon what may blacken his character, and ſhow, that he acted upon very ill motives, and upon principles directly contrary to the good of the kingdom. If they ſpeak of his good qualities, it is only to render him more faulty, and demonſtrate that he tranſgreſſed not through ignorance, but with premeditation. Which ever way I take to draw the character of this prince, I cannot avoid the cenſure of one or the other party, if I ſpeak as from myſelf, and I ſhould not gain much in going upon the teſtimony of either party. However, as the reader, doubtleſs, expects to know ſomething more of the character of this king than could be learnt from the hiſtory of his reign. I chuſe to inſert dr. Burnet's account in the hiſtory of his own times. I own this, of all the characters of Charles II. ſeems to me, in the whole, to be moſt like, and moſt agreeable to the hiſtory of his life. I could wiſh however, this illuſtrious prelate had omitted, or at leaſt ſoftened ſome ſtrokes, which appear to me a little over charged, and ſeem to diſcover ſome paſſion in the author. However T. I. p. 611.

that

1684-5. that be, he concludes the hiſtory of this prince in the following manner:

"Thus lived and died king Charles the ſecond. He was "the greateſt inſtance in hiſtory of the various revolutions "of which any one man ſeemed capable. He was bred "up the firſt twelve years of his life with the ſplendour that "became the heir of ſo great a crown. After that he paſſed through eighteen years in great inequalities, unhappy "in the war, in the loſs of his father, and of the crown of "England. Scotland did not only receive him, though "upon terms hard of digeſtion, but made an attempt upon "England for him, though a feeble one. He loſt the battle of Worceſter with too much indifference: and then "he ſhewed more care of his perſon than became one, who "had ſo much at ſtake. He wandered about England for "ten weeks after that, hiding from place to place. But "under all the apprehenſions he had then upon him, he "ſhewed a temper ſo careleſs, and ſo much turned to levity, that he was then diverting himſelf with little houſhold ſports, in as unconcerned a manner as if he had made "no loſs, and had been in no danger at all. He got at "laſt out of England. But he had been obliged to ſo many, who had been faithful to him and careful of him, "that he ſeemed afterwards to reſolve to make an equal return to them all. And finding it not eaſy to reward them "all as they deſerved, he forgot them all alike. Moſt "princes ſeem to have this pretty deep in them; and to "think that they ought never to remember paſt ſervices, "but that their acceptance of them is a full reward. He "of all in our age, exerted this piece of prerogative in the "ampleſt manner: for he never ſeemed to charge his memory, or to trouble his thoughts with the ſenſe of any of "the ſervices that been done him. While he was abroad "at Paris, Colen, or Bruſſels, he never ſeemed to lay any "thing to heart. He purſued all his diverſions and irregular pleaſures in a free career; and ſeemed to be as ſerene "under the loſs of a crown as the greateſt philoſopher could "have been. Nor did he willingly hearken to any of thoſe "projects, with which he often complained that his chancellor perſecuted him. That in which he ſeemed moſt "concerned was, to find money for ſupporting his expence. "And it was often ſaid, that if Cromwell would have compounded the matter, and have given him a good round "penſion, that he might have been induced to reſign his "title to him. During his exile he delivered himſelf ſo

"entirely

" entirely up to his pleaſures, that he became incapable of 1684-5.
" application. He ſpent little of his time in reading, or
" ſtudy, and yet leſs in thinking. And in the ſtate his af-
" fairs were then in, he accuſtomed himſelf to ſay to every
" perſon, and upon all occaſions, that which he thought
" would pleaſe moſt: ſo that words or promiſes went very
" eaſily from him. And he had ſo ill an opinion of man-
" kind, that he thought the great art of living and go-
" verning was, to manage all things and all perſons with
" a depth of craft and diſſimulation. And in that, few
" men in the world could put on the appearances of ſince-
" rity better than he could: under which ſo much arti-
" fice was uſually hid, that in concluſion he could deceive
" none, for all were become miſtruſtful of him. He had
" great vices, but ſcarce any virtues to correct them. He
" had in him ſome vices that were leſs hurtful, which cor-
" rected his more hurtful ones. He was, during the ac-
" tive part of life, given up to ſloth and lewdneſs to ſuch a
" degree, that he hated buſineſs, and could not bear the
" engaging in any thing that gave him much trouble, or
" put him under any conſtraint. And though he deſired
" to become abſolute, and to overturn both our religion
" and our laws, yet he would neither run the riſk, nor
" give himſelf the trouble, which ſo great a deſign requi-
" red. He had an appearance of gentleneſs in his outward
" deportment: but he ſeemed to have no bowels nor ten-
" derneſs in his nature: and in the end of his life he be-
" came cruel. He was apt to forgive all crimes even blood
" itſelf: yet he never forgave any thing that was done
" againſt himſelf, after his firſt and general act of indem-
" nity, which was to be reckoned as done rather upon
" maxims of ſtate, than inclinations of mercy. He deliver-
" ed himſelf up to a moſt enormous courſe of vice, without
" any ſort of reſtraint, even from the conſiderations of the
" neareſt relations; the moſt ſtudied extravagancies that
" way ſeemed to the very laſt to be much delighted in, and
" purſued by him. He had the art of making all people
" grow fond of him at firſt, by a ſoftneſs in his whole
" way of converſation, as he was certainly the beſt bred
" man of the age. But when it appeared how little could
" be built on his promiſe, they were cured of the fondneſs
" that he was apt to raiſe in them. When he ſaw young
" men of quality, who had ſomething more than ordinary
" in them, he drew them about him, and ſet himſelf to
" corrupt them both in religion and morality; in which

" he

1684-5. " he proved ſo unhappily ſucceſsful, that he left England " much changed at his death, from what he had found it " at his reſtoration. He loved to talk over all the ſto- " ries of his life to every new man that came about him. " His ſtay in Scotland, and the ſhare he had in the war " of Paris, in carrying meſſages from the one ſide to the " other, were his common topicks. He went over theſe " in a very graceful manner; but ſo often, and copiouſly, " that all thoſe who had been long accuſtomed to them " grew weary of them: and when he entered on thoſe " ſtories, they uſually withdrew: ſo that he often began " them in a full audience, and before he had done, there " were not above four or five left about him; which drew " a ſevere jeſt from Willmot earl of Rocheſter. He ſaid, " He wondered to ſee a man have ſo good a memory, as to " repeat the ſame ſtory without loſing the leaſt circumſtance " and yet not remember that he had told it to the ſame per- " ſons the very day before. This made him fond of ſtran- " gers; for they hearkened to all his often repeated ſtories, " and went away as in a rapture, at ſuch an uncommon " condeſcenſion in a king.

" His perſon and temper, his vices as well as his fortune " reſemble the character that we have given us of Tiberi- " us, ſo much, that it were eaſy to draw a parallel be- " tween them. Tiberius's baniſhment, and his coming " afterwards to reign, makes the compariſon in that reſpect " come pretty near. His hating of buſineſs, and his love " of pleaſures, his raiſing of favourites, and truſting them " entirely, and his pulling them down, and hating them " exceſſively; his art of covering deep deſigns, particularly " of revenge, with an appearance of ſoftneſs, brings them " ſo near a likeneſs, that I did not wonder much to ob- " ſerve the reſemblance of their face and perſon. At Rome " I ſaw one of the laſt ſtatues made for Tiberius after he " had loſt his teeth. But, bating the alteration which that " made, it was ſo like king Charles that prince Borgheſe " and Signior Dominico to whom it belonged, did agree " with me in thinking that it looked like a ſtatue made for " him.

" Few things ever went near his heart; the duke of Glou- " ceſter's death ſeemed to touch him much. But thoſe who " knew him beſt thought it was, becauſe he had loſt him, " by whom only he could have balanced the ſurviving bro- " ther, whom he hated, and yet embroiled all his affairs to " preſerve the ſucceſſion to him.

His

" His ill conduct in the firſt Dutch war, and thoſe ter- 1684-5.
" rible calamities of the plague, and fire of London, with
" that loſs and reproach which he ſuffered by the inſult at
" Chatham, made all people conclude, there was a curſe
" upon his government. His throwing the publick hatred
" at that time upon lord Clarendon, was both unjuſt and
" ungrateful. And when his people had brought him out
" of all his difficulties, upon his entering into the triple al-
" liance, his ſelling that to France, and his entering on the
" ſecond Dutch war with as little colour as he had for the
" firſt; his beginning it with the attempt on the Dutch
" Smyrna fleet; the ſhutting up the Exchequer; and his
" declaration for toleration, which was a ſtep for the in-
" troduction of popery; make ſuch a chain of black actions
" flowing from blacker deſigns, that it amazed thoſe who
" had known all this, to ſee with what impudent ſtrains
" of flattery addreſſes were penned during his life, and yet
" more groſsly after his death. His contributing ſo much
" to the raiſing the greatneſs of France, chiefly at ſea, was
" ſuch an error, that it could not flow from want of thought
" or of true ſenſe. Rouvigny told me, he deſired that all
" the methods the French took in the increaſe and conduct
" of their naval force might be ſent him. And, he ſaid,
" he ſeemed to ſtudy them with concern and zeal. He
" ſhewed what errors they committed, and how they ought
" to be corrected, as if he had been a viceroy to France,
" rather than a king that ought to have watched over, and
" prevented the progreſs they made, as the greateſt of all
" the miſchiefs that could happen to him or to his people.
" They that judged the moſt favourable of this, thought it
" was done out of revenge to the Dutch, that, with the
" aſſiſtance of ſo great a fleet as France could join to his
" own, he might be able to deſtroy them. But others put
" a worſe conſtruction on it; and thought, that ſeeing he
" could not quite maſter or deceive his ſubjects by his own
" ſtrength and management, he was willing to help for-
" ward the greatneſs of the French at ſea, that by their aſ-
" ſiſtance he might more certainly ſubdue his own people;
" according to what was generally believed to have fallen
" from lord Clifford, that if the king muſt be in a depen-
" dence, it was better to pay it to a great and generous
" king, than to five hundred of his own inſolent ſubjects.
" No part of his character looked wickeder as well as
" meaner, than that he, all the while that he was profeſ-
" ſing to be of the church of England, expreſſing both zeal

" and

1684-5. " and affection to it, was yet ſecretly reconciled to the
" church of Rome: thus mocking God, and deceiving the
" world with ſo groſs a prevarication. And his not hav-
" ing the honeſty or courage to own it at the laſt: his not
" ſhewing any ſign of the leaſt remorſe for his ill led life,
" or any tenderneſs either for his ſubjects in general, or
" for the queen and his ſervants: and his recommending,
" only his miſtreſſes and their children to his brother's
" care, would have been a ſtrange concluſion to any other
" life, but was well enough ſuited to all the other parts of
" his.

" The two papers found in his ſtrong box concerning
" religion, and afterwards publiſhed by his brother, looked
" like ſtudy and reaſoning. Tenniſon told me, he ſaw the
" original in Pepy's hand, to whom king James truſted
" them for ſome time. They were interlined in ſeveral
" places. And the interlinings ſeemed to be writ in a
" hand different from that in which the papers were writ.
" But he was not ſo well acquainted with the king's hand,
" as to make any judgment in the matter, whether they
" were writ by him or not. All that knew him when
" they read them, did, without any ſort of doubting, con-
" clude, that he never compoſed them: for he never read
" the ſcriptures, nor laid things together, further than to
" turn them to a jeſt, or for ſome lively expreſſion. Theſe
" papers were probably writ either by lord Briſtol, or by
" lord Aubigny, who knew the ſecret of his religion, and
" gave him thoſe papers, as abſtracts of ſome diſcourſes they
" had with him on thoſe heads, to keep him fixed to them.
" And it is very probable, that they apprehending their
" danger, if any ſuch papers had been found about him
" writ in their hand, might prevail with him to copy them
" out himſelf, though his lazineſs that way made it cer-
" tainly no eaſy thing to bring him to give himſelf ſo much
" trouble. He had talked over a great part of them to
" myſelf: ſo that as ſoon as I ſaw them, I remembered
" his expreſſions, and perceived that he had made himſelf
" maſter of the argument, as far as thoſe papers could car-
" ry him. But the publiſhing them ſhewed a want of
" judgment, or of regard to his memory in thoſe who did
" it: for the greateſt kindneſs that could be ſhewn to his
" memory, would have been, to let both his papers and
" himſelf be forgotten."

After

After ſeeing in this character, all that can be ſaid to the diſadvantage of Charles II. the reader doubtleſs will not be diſpleaſed to behold the picture of the ſame prince, drawn a little differently by a very able hand, I mean John Sheffield earl of Mulgrave, who was no enemy to the king, or the royal family. He has laboured this deſcription with all poſſible care. I omit a ſhort introduction concerning the author, to come at once to the character of the king. 1684-5.

" As to the king's religion, it was more deiſm than popery; which he owed more to the liveneſs of his parts, and careleſſneſs of his temper, than either to reading, or much conſideration; for his quickneſs of apprehenſion, at firſt view, could diſcern through the ſeveral cheats of pious pretences; and his natural lazineſs confirmed him in an equal miſtruſt of them all, for fear he ſhould be troubled with examining which religion was beſt. If in his early travels, and late adminiſtration, he ſeemed a little biaſſed to one ſort of religion; the firſt is only to be imputed to a certain eaſineſs of temper, and a complaiſance for that company he then was forced to keep; and the laſt was no more than his being tired, (which he ſoon was in any difficulty,) with thoſe bold oppoſitions in parliament, which made him almoſt throw himſelf into the arms of a Roman catholick party, ſo remarkable in England for their loyalty, who embraced him gladly, and lulled him aſleep with thoſe enchanting ſongs of abſolute ſovereignty, which the beſt and wiſeſt of princes are often unable to reſiſt. And though he engaged himſelf on that ſide more fully, at a time when it is in vain, and too late to diſſemble, we ought leſs to wonder at it, than to conſider that our very judgments are apt to grow in time as partial as our affections; and thus, by accident only, he became of their opinion in his weakneſs, who had ſo much endeavoured always to contribute to his power. He loved eaſe and quiet; to which his unneceſſary wars are ſo far from being a contradiction, that they are rather a proof of it, ſince they were made chiefly to comply with thoſe perſons, whoſe diſſatisfaction would have proved more uneaſy to one of his humour, than all that diſtant noiſe of cannon, which he would often liſten to with a great deal of tranquillity. Beſides, the great and almoſt only pleaſure of mind he appeared addicted to, was ſhipping and ſea affairs; which ſeemed to be ſo much his talent both for knowledge as well as inclination, that a war of that kind was rather an Buckingham's works, t. II. p. 75.

" enter-

1684-5. " entertainment, than any diſturbance to his thoughts. If
" he did not go himſelf at the head of ſo magnificent a
" fleet, it is only to be imputed to that eagerneſs of mili-
" tary glory in his brother: who, under the ſhew of a
" decent care for preſerving the royal perſon from danger,
" engroſſed all that ſort of honour to himſelf, with as much
" jealouſy of any other's interpoſing in it, as a king of
" another temper would have had of his, though without
" reaſon———It is certain, no prince was ever more fit-
" ted by nature for his country's intereſt, than he was in
" all his maritime inclinations; which might have proved
" of ſufficient advantage to this nation, if he had been as
" careful in depreſſing all ſuch improvements in France,
" as of advancing and encouraging our own: but it ſeems
" he wanted jealouſy in all his inclinations, which leads us
" to conſider him in his pleaſures: where he was rather
" abandoned than luxurious; and like our female liber-
" tines, apter to be debauched for the ſatisfaction of others,
" than to ſeek with choice, where moſt to pleaſe himſelf.
" I am of opinion alſo, that in his latter time, there was as
" much of lazineſs as of love, in all thoſe hours he paſſed
" among his miſtreſſes; who, after all, ſerved only to fill
" up his ſeraglio, while a bewitching kind of pleaſure,
" called ſantering, and talking without any conſtraint, was
" the true ſultana queen he delighted in.

" He was ſurely inclined to juſtice; for nothing elſe
" would have retained him ſo faſt to the ſucceſſion of a
" brother, againſt a ſon he was ſo fond of, and the hu-
" mour of a party which he ſo much feared. I am wil-
" ling alſo to impute to his juſtice, whatever ſeems in ſome
" meaſure to contradict the general opinion of his cle-
" mency; as his ſuffering always the rigour of the law
" to proceed, not only againſt all highwaymen, but alſo
" ſeveral others, in whoſe caſes the lawyers, (according
" to their wonted cuſtom) had uſed ſometimes a great
" deal of hardſhip and ſeverity. His underſtanding was
" quick and lively in little things, and ſometimes would
" ſoar high enough in great ones, but unable to keep it
" up with any long attention or application. Witty in
" all ſorts of converſation; and telling a ſtory ſo well, that
" not out of flattery, but for the pleaſure of hearing it,
" we uſed to ſeem ignorant of what he had repeated to
" us ten times before, as a good comedy will bear the be-
" ing ſeen often. Of a wonderful mixture; loſing all his
" time, and all of late ſetting his whole heart on the fair
" ſex,

"ſex, yet neither angry with rivals, nor in the leaſt nice 1684-5.
"as to their being beloved; and while he ſacrificed all
"things to his miſtreſſes, he would uſe to grudge and be
"uneaſy at their loſing a little of it again at play, though
"never ſo neceſſary for their diverſion: nor would he
"venture five pounds at tennis to thoſe ſervants, who
"might obtain as many thouſands, either before he came
"thither, or as ſoon as he left off. Not falſe to his word,
"but full of diſſimulation, and very adroit at it, yet no
"man eaſier to be impoſed on; for his great dexterity was
"in cozening himſelf, by gaining a little one way, while
"it coſt him ten times as much another; and by careſſing
"thoſe perſons moſt, who had deluded him the oftener;
"and yet the quickeſt in the world at ſpying ſuch a ridi-
"cule in another. Familiar, eaſy, and good natured;
"but for great offences ſevere and inflexible: alſo in one
"week's abſence, quite forgetting thoſe ſervants, to whoſe
"faces he could hardly deny any thing. In the midſt of
"all his remiſſneſs, ſo induſtrious and indefatigable on ſome
"particular occaſions, that no man would either toil longer,
"or be able to manage it better.

"He was ſo liberal, as to ruin his affairs by it; for
"want in a king of England, turns things juſt upſide down,
"and expoſes a prince to his people's mercy. It did yet
"worſe in him, for it forced him alſo to depend on his
"great neighbour of France; who played the brother with
"him ſufficiently in all thoſe times of extremity. Yet this
"profuſeneſs of his did not ſo much proceed from his over-
"valuing thoſe he favoured, as from his undervalu-
"ing any ſums of money which he did not ſee; though
"he found his error in this, but I confeſs a little of the
"lateſt. He had ſo natural an averſion to all formality,
"that with as much wit as moſt kings ever had, and
"with as majeſtick a mein, yet he could not on premedi-
"tation act the part of a king for a moment, either at par-
"liament, or at council, either in words or geſture; which
"carried him into the other extreme, more inconvenient
"of the two, of letting all diſtinction and ceremony fall
"to the ground, as uſeleſs and foppiſh. His temper, both
"of body and mind, was admirable, which made him an
"eaſy generous lover, a civil obliging huſband, a friendly
"brother, an indulgent father, and a good natured maſter.
"If he had been as ſollicitous about improving the facul-
"ties of his mind, as he was in the management of his
"bodily health; though, alaſs! the one proved unable to

1684-5. "make his life long, the other had not failed to have "made it famous. He was an illustrious exception to all "the common rules of physiognomy: for with a most Saturnine harsh sort of countenance, he was both of a merry "and merciful disposition; and in the last thirty years of his "life, as fortunate, as those of his father had been dismal "and tumultuous.

"If his death has been by some suspected of being untimely, it may be partly imputed to his extreme healthy "constitution, which made the world as much surprized "at his dying before threescore, as if nothing but an ill "accident could have killed him. I would not say any "thing on so sad a subject, if I did not think silence itself "would in such a case signify too much; and therefore, as "an impartial writer, I am obliged to observe, that the "most knowing, and most discerning of his physicians "[doctor Short] did not only believe him poisoned, but "thought himself so too not long after, for having declared "his opinion a little too boldly. But here I must needs "take notice of an unusual piece of justice, which yet all "the world has almost unanimously agreed in; I mean, in "not suspecting his successor of the least connivance in "so horrid a villany; and perhaps there was never a more "remarkable instance of the wonderful power of truth and "innocence: for it is next to a miracle, that so unfortunate a prince, in the midst of all those disadvantages he "lies under, should be yet cleared of this, even by his "greatest enemies; notwithstanding all those circumstances that used to give a suspicion, and that extreme malice which has of late attended him in all his other actions [1]."

A comparison between the two foregoing characters.

After giving these different characters of king Charles II. drawn by such able hands, I think my self obliged to make a sort of parallel, in order to assist the reader in the discovery of the truth. Dr. Burnet bishop of Salisbury was a Scotchman. He had been educated among the episcopalians, but however, was always accused of preserving a tincture of presbyterianism, the religion of his country, when

[1] R. Coke says, that king Charles left the nation more vitiated and debauched in their manners, than ever it was by any other king; having not only squandered away the ancient revenues of the crown, which were esteemed sacred, and which should have supported it against [illegible] and intestine discord, but left such a debt upon it as never before was heard of, nor contracted by such means, tom. II. p. 520.

free

free to purſue his inclination. He is likewiſe accuſed of having been entirely in the whig party. In ſhort, he had no reaſon to be pleaſed with either Charles II. or James II. and therefore we muſt read with caution whatever he ſays, not reconcileable with the known actions of Charles II. or expreſly contradicted by others. 1684-5.

It is not difficult to diſcover, that Burnet's picture of Charles II. is very much charged. The painter has ſtrongly drawn all the lines, which he thought might beget a likeneſs between the picture and the original, without any regard to the reputation of the prince. It is even ſeen, that poſſibly he ſpoke with prejudice, and by this prejudice, was led to credit too lightly what he had received upon hearſay to the king's diſadvantage. For inſtance, what he affirms, that Charles, after the battle of Worceſter, ſhowed a temper ſo careleſs, that he was then diverting himſelf with trifles in an unconcerned manner, as if he had ſuſtained no loſs, and been in no danger at all, appears to me a little aggravated. It is not even probable, that the biſhop could be informed of the king's actions at that time by eye-witneſſes. When he ſays, the king had great vices, but ſcarce any virtues to correct them, this plainly appears to be the language of paſſion and prejudice. When he ſays again, the king never forgave any thing that was done againſt himſelf, this muſt be aggravated. For if he was merciful to the lord Ruſſel, colonel Sidney, ſir Thomas Armſtrong, and ſome others, it cannot from thence be inferred, that he never forgave. Such expreſſions excepted, which diſcover ſome paſſion in the author, the reſt of Charles II.'s character is true in general. This I believe, becauſe I find it agreeable to the hiſtory of his reign, and becauſe the earl of Mulgrave has in his picture drawn the ſame lines with Dr. Burnet, to expreſs his likeneſs. All the difference between theſe two authors, is, that in the biſhop's picture, the principal lines are ſtrongly expreſſed, and much ſoftened in the other.

The earl of Mulgrave, afterwards marquis of Normandy, and then duke of Buckinghamſhire, was entirely in the tory party, and if common report may be credited, his religion, like that of Charles II. was deiſm. In his deſcription of this prince, he denies not the general ſuſpicion of his being poiſoned. Burnet ſays alſo the ſame thing. The earl infiſts, that the duke of York was not ſuſpected of the leaſt connivance at ſo horrid a villany. The ſame

1684-5. is likewiſe to be found in Burnet. If the laſt ſays, king Charles was a papiſt, this is not denied by the earl. He only imputes it to two cauſes, firſt, to a complaiſance for the company he was forced to keep in his exile; and ſecondly, to the oppoſition he met with in parliaments, which threw him into the arms of the papiſts. If the firſt of theſe cauſes be true, the ſecond cannot be ſo, ſince the king was not twice a papiſt. Beſides the oppoſitions in parliament were partly owing to a belief, that he deſigned to introduce popery.

Burnet ſays, Charles was incapable of any application. The earl ſays the ſame. The biſhop ſays the king was for rendering himſelf abſolute. The earl ſays it not in expreſs terms, he ſufficiently intimates it, by ſaying, "That "the Roman catholick party lulled him aſleep with the en-"chanting ſongs of ſovereignty and prerogative." Burnet ſays, the king was apt to forgive all crimes, but never forgave any thing that was done againſt himſelf. The earl praiſes his clemency, and ſays, "he was eaſy and good na-"tured in trifles; but in great affairs ſevere and inflexi-"ble." This may be the biſhop's meaning expreſſed in other words.

The ſtories which the king loved to talk over, are in both characters. The only difference is, that Burnet ſays, the company grew weary of them, and the earl ſays, the hearers were pleaſed with the repetition. But the raillery of the earl of Rocheſter turns the balance for the biſhop.

Burnet ſays, Charles engaged in two wars againſt Holland, without any colour, and the earl calls theſe wars unneceſſary.

Burnet ſays, he contributed to the raiſing of the greatneſs of France at ſea, and the earl ſays, he was not ſufficiently careful to depreſs the maritime improvements of France, and that here he wanted jealouſy. Is not this much the ſame thing?

In ſhort, let theſe two pictures be compared with all poſſible exactneſs, and they will both be found very like; but that the two painters had different views, and purſued different methods. The one propoſed to expreſs ſtrongly the lines which might moſt contribute to a reſemblance with the original, without regarding the beauty of the picture in itſelf. The other, without omitting the ſame lines, which could not be done and the likeneſs preſerved, has taken

taken all poſſible care to ſoften them, in order to hide, as much as lay in his power, the deformities of the original. In a word, the one has given us an ugly, and the other a beautiful likeneſs. This doubtleſs, induced the earl to ſuppreſs ſeveral ſtrokes of his pencil, which might have improved the reſemblance, but would have been prejudicial to the end he propoſed in his work [m]. 1685. 5.

m I. King Charles II. left no iſſue by his queen, Donna Catherina, daughter of John IV. king of Portugal. But by his ſeveral miſtreſſes, he had the following children.

1. By Mrs. Lucy Walters, daughter of Richard Walters, Eſq; James duke of Monmouth, born at Rotterdam, April 9, 1649. beheaded on Tower-hill, July 15, 1685. He married in 1665, Anne Scot, daughter of Francis earl of Buccleugh in Scotland.

2. By Mrs Elizabeth Killigrew, viſcounteſs Shannon, daughter of ſir William Killigrew, Charlot Jemis-Henrietta-Maria-Fitz-roy, who died in 1684. Her husbands were, James Howard, and ſir William Paſton earl of Yarmouth.

3. By Mrs. Catharine Peg, daughter of Thomas Peg Eſq. Charles Fitz-Charles earl of Plymouth, commonly called Don Carlos, born 1648. killed October 17, 1680. at Tangier. He married Bridget daughter of ſir Thomas Osborne duke of Leeds, who married afterwards dr. Bill the late biſhop of Hereford.

4. By mrs. Barbara Villiers, heireſs of William viſcount Grandiſon in Ireland, and wife of Roger Palmer earl of Caſtlemain, created lady Nonſuch, counteſs of Southampton, and ducheſs of Cleveland, who died in 1709, ha he had three ſons, and three daughters. 1. Charles Fitz-roy, born 1662, created 1672, duke of Southampton, and after his mother's death duke of Cleveland. His wives were Mary daughter of ſir Henry Wood, and Alice daughter of ſir William Pulteney. 2. Henry Fitz-roy duke of Grafton, born September 20, 1663. and killed October 9, 1690, at the ſiege of Cork in Ireland. His wife was Iſabella daughter of Henry Bennet earl of Arlington, married after his death to ſir Thomas Hanmer Bart. 3. George Fitz-roy duke of Northumberland, born December 28, 1665, who died July 8, 1716. without children. 4. Anne Fitz-roy born Feb. 29, 1661, married in 1674, to Thomas Lennard earl of Suſſex. 5. Charlotte Fitz-roy, born September 5, 1664, married Feb. 20, 1676-7, to ſir Edward Henry Lee earl of Lichfield. 6. Barbara born July 16, 1672. who became a nun at Pontoiſe in France.

5. By mrs. Eleanor Gwin, 1. Charles Beauclerk duke of St. Albans, born May 8, 1670, who married Diana Vere, eldeſt daughter and coheireſs of Aubrey de Vere, the 20th and laſt earl of Oxford. 2. James Beauclerk born December 25, 1671. He died in 1680 in France.

6. By Louiſe de Querouaille ducheſs of Portſmouth. Charles Lenox duke of Richmond and Lenox, born July 29, 1672, who died May 27, 1723. His wife was Anne, eldeſt daughter of Francis lord Brudenel.

7. By mrs. Mary Davis, Mary Tudor, born Oct. 1673, married in Auguſt 1687, to Francis lord Ratcliff earl of Derwentwater. See Sandford, p. 610, &c.

II. In this reign the city of London put on a new face, by being rebuilt, after the great fire, in ſo handſome and well contrived a manner, as hath greatly contributed to the beauty, healthfulneſs, and convenience of that great and noble city. ——— In the reign likewiſe it was, that the royal Hoſpital at Chelſea, was founded.

III. By an indenture in the 18th of Charles II. gold and ſilver money were coined in the ſame pieces, and at the

1684-5. the same rates, as in the 2d of Charles I. See above Vol. X. p. 543. note—By another indenture in the 22d of king Charles II. Crown gold, twenty two carats fine, and two carats allay, was coined into 44l. 10s. by tale; namely, into pieces to go for ten shillings, twenty shillings, forty shillings, or five pounds a piece; and a pound of silver of the old standard into three pounds two shillings by tale; namely into crowns, half crowns, shillings, half shillings, groats, half groats, half sixpences, half groats, and pence.

1

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The money of king Charles II. was of three sorts: the hammered, which was the only current coin, till 1663; the milled upon the side; and that with the graining or letters upon the edge——The first money that bore the name of this king, was coined at Pontefract Castle, round which is inscribed CAROLVS SECVNDVS, 1648. On each side of the middle towards RC reverse, a crown, with CR. HVM. SPIRO. SPERO. A crown bath. CAROLVS II. D. G. MAG. B. F. ET. H. REX. In the field. HANC. DEVS. DEDIT. 1648. Reverse RC. Above the castle, POST. MORTEM. PATRIS. PRO. PRIO. Upon the hammered money in general, he is represented with the half face, crown and band, &c. CAROLVS. II. D. G. MAG. BRIT. FR. ET. HIB. REX. Reverse, the arms in one shield, not crown'd, with his father's motto CHRISTO. ALSVICE. REGNO——The gold coins have, on one side, the king's head laureat, with a youthful countenance. Reverse, the arms in a single shield, crown'd between C. R. FLORENT CONCORDIA REGNA. Another has XX behind the head. On the money called cutters, the head goes more round the head; which, it does not in a very neat cutter, called by some the unmilled guinea, the king's head extending

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